

**U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
WASHINGTON, D.C. 20202-2740**

**APPLICATIONS FOR NEW GRANTS
UNDER
THE REHABILITATION SERVICES ADMINISTRATION:**

PROJECTS WITH INDUSTRY

CFDA Number: 84.234M

FORM APPROVED
OMB No. 1820-0018, Through 3/99
ED FORM 424, 04/88

DATED MATERIAL - OPEN IMMEDIATELY

Closing Date: 04/21/97

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REHABILITATION SERVICES ADMINISTRATION

Dear Applicant:

The Secretary invites applications for new awards for fiscal year (FY) 1997 under the Projects With Industry program (PWI)(CFDA 84.234M). This program is authorized by the Rehabilitation Act of 1973, as amended, Title VI, Part B, Section 621.

Prior to completing the grant application, please review the Notice Inviting Applications for New Awards included as an Attachment to this application packet. **The closing date for receiving applications under the Projects With Industry competition is April 21, 1997.**

PROGRAM PURPOSE

The purpose of the PWI program is to create and expand job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process. PWI projects identify competitive job and career opportunities and the skills needed to perform those jobs, create practical settings for job readiness and training programs, and provide job placement and career advancement services. Under the PWI program, grants are provided on a competitive basis to employers and profit making and non-profit organizations, including VR agencies, industrial, business or commercial enterprises, labor organizations, industrial or community trade associations, rehabilitation facilities, and other agencies or organizations.

Department of Education Reinventing Government Initiative

As part of the Administration's Reinventing Government Initiative, the Department has eliminated the continuation application process. All applicants for multi-year projects now are required to provide detailed budget information for each year of the total grant period requested. With the submission of detailed budget information in the initial application for the total project period, the need for the noncompeting continuation application is eliminated. An annual performance report on program outcomes and progress in achieving project goals and objectives will replace the continuation application.

APPLICATION PROCEDURES

This application kit contains information and the required forms for potential applicants to apply and compete for FY 1997 grant awards under this competition. Potential applicants are advised to read the materials carefully, particularly the information on

the types of organizations that are eligible to apply for these grants, how to prepare an application, and the applicable selection criteria that will be used to evaluate these applications as contained under the program regulations, 34 CFR Parts 369 and 379.

Prior to completing the grant application, please review the Federal Register Notice included in this application packet. Information regarding estimates of the average size of awards, priorities, and an explanation of bonus points for programs providing services in an **Empowerment Zone and Enterprise Community** (EZ/EC) is included in the Federal Register Notice contained on page one hundred seventeen. Additional information on the EZ/EC's are located on pages 5 and 6. Please note that the **PWI program regulations** have been revised in order to clarify statutory intent, reduce grantee burden, address certain implementation problems, and enhance project accountability. The changes made in these final regulations include revision of the definitions of "placement," "competitive employment," and "integrated setting," as well as **additional application content requirements** (see 34 CFR 379.21(a)(1), 379.21(a)(4), 379.21(a)(7) -- pages 26-27).

These instructions indicate that you must mail (postmarked) one original and two copies (**we would appreciate your including three additional copies of your application to facilitate the peer review process**) of your application on or before the application deadline date, to the following address: U.S. Department of Education, Application Control Center, Attention: CFDA Number 84.234M, 600 Independence Avenue, S.W., Washington, D.C. 20202-4725. For instructions regarding the transmittal of the application by hand or courier service, see page 65 for Application Transmittal Instructions. **Note: The application cover sheet (Standard Form 424) for this competition under block # 10 must indicate the appropriate CFDA numeric and alpha letter: CFDA 84.234M, and the appropriate program name: Projects With Industry Program.**

To facilitate the peer review process, the program narrative must address the selection criteria used for this program in the order that such criteria appear in the relevant regulations. The selection criteria for the Projects With Industry program are found at 34 CFR Part 379.30. Additionally, each proposal must include: a one-page abstract highlighting the project's purpose, target population to be served during the project period, planned goals and objectives, innovative strategies utilized, and projected outcomes.

PROGRAM RULES AND REGULATIONS

The Federal regulations that apply to this competition can be found in 34 CFR Parts 369 and 379 as noted earlier in this letter. Further, grants under CFDA number 84.234M are subject to the requirements of the Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, and 86, which set forth general rules affecting the submittal, review, grant awarding, and post-award administration for Department of Education grant programs.

Applicants are reminded that the 1992 Amendments to the Rehabilitation Act require that all new applications must describe how the needs of individuals with disabilities from minority backgrounds will be addressed. Applicants must also provide assurance that individuals provided services must be advised of the availability and purposes of the State's Client Assistance Program, including information on means of seeking assistance under such program.

The Federal share of the cost of a project may not be more than 80 percent of the total cost of the project under this program.

INTERGOVERNMENTAL REVIEW FOR FEDERAL PROGRAMS

Applications under this program are to be submitted to the appropriate State agency for review as stipulated under Executive Order 12372 - Intergovernmental Review. If a State has established a process for this review, applicants must use the process described on page 59 of this kit. Federally recognized Indian tribes are excluded from coverage under Executive Order 12372.

If you have any questions about the information in this application kit, please contact Ms. Martha Muskie at (202)205-3293 or Dr. Constance Pledger at (202)205-8325. Individuals who use a telecommunications device for deaf individuals (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8:00 a.m. and 8:00 p.m., Eastern time, Monday through Friday, or in the Washington, D.C. area, at (202) 708-9300.

Thank you for your interest in this program.

Sincerely,

Thomas Finch, Ph. D.
Acting Associate Commissioner
Office of Developmental Programs

INTRODUCTION

TITLE OF PROGRAM

(CFDA NO. 84.234M)

Projects With Industry

TITLE AND PURPOSE:

The purpose of the Projects With Industry (PWI) Program is to create and expand job and career opportunities for persons with disabilities by involving private industry in the provision of rehabilitation services, job readiness training in order to secure employment and career advancement opportunities for individuals with disabilities.

AUTHORIZATION

The Rehabilitation Act of 1973, as amended, Title VI, Part B, Section 621.

ELIGIBLE APPLICANTS

Under the PWI program, grants are provided on a competitive basis to employers and profit making and non-profit organizations, including VR agencies, industrial, business or commercial enterprises, labor organizations, industrial or community trade associations, rehabilitation facilities, and other agencies or organizations.

KEY DATES

- o Closing date: April 21, 1997
- o Anticipated award date: August 18, 1997 **(note: all dates except the closing date are subject to change. We offer this timetable for planning purposes only.)**

PROGRAM DESCRIPTION / ACTIVITIES FUNDED UNDER THIS PROGRAM

PWI Programs identify competitive job and career opportunities and the skills needed to perform those jobs, create practical settings for job readiness and training programs, and provide job placement and career advancement services to individuals with disabilities.

PRIORITIES FOR THIS COMPETITION

Invitational Priority 1: Programs that demonstrate the use of alternative work setting models of employment such as flexiplace or telecommute to assist individuals with severe disabilities to secure job skills training and employment opportunities in the competitive labor market. Proposed service delivery models should promote the delivery of services to these individuals in home settings and facilitate competitive employment placements in alternative work settings. Tenets of the proposed program model should demonstrate collaboration among Projects With Industry, business and industry, and the State vocational rehabilitation agency.

Invitational Priority 2: Programs that demonstrate the use of work place apprenticeship programs designed to encourage, support and train persons with disabilities for employment in careers with advancement potential;

Invitational Priority 3: Programs that demonstrate effective outreach and collaboration with minority owned businesses in order to secure competitive placement opportunities for persons with disabilities. Minority owned businesses are defined as nonprofit and for-profit entities at least 51 percent owned or controlled by one of more minority individuals. Applications should demonstrate a project's capacity to address cultural diversity issues as these issues relate to the training and placement of individuals with disabilities in competitive employment; and

Invitational Priority 4: Programs that demonstrate a design that will facilitate the transition from school-to-work of individuals with disabilities using the Projects With Industry Program model. Programs should focus on placing youth with disabilities in employment with career path/career advancement opportunities.

Competitive Preference: The Empowerment Zone and Enterprise Community Program is a critical element of the Administration's community revitalization strategy. The program is a first step in rebuilding communities in America's poverty-stricken inner cities and rural heartlands. It is designed to empower people and communities by inspiring Americans to work together to create jobs and opportunity.

Under this program, the Federal Government has designated 9 Empowerment Zones (Atlanta, GA; Baltimore, MD; Chicago, IL; Detroit, MI; New York, NY; Philadelphia, PA/Camden, NJ;); and three rural (Kentucky Highlands, KY; Mid-Delta, MS; Rio Grande Valley, TX). Two Supplemental Empowerment Zones have been designated--Los Angeles, CA and Cleveland, OH. Ninety-five (95) Enterprise Communities are designated. A full list of Enterprise

Communities is available upon request. Interested individuals may contact the Department of Housing and Urban Development (HUD) at 1-800-998-9999 for additional information on the Empowerment Zone and Enterprise Community Program.

Under this program, a PWI project is considered to be providing substantial services in a zone or community if a minimum of 51 percent of the total number of persons served by the project, irrespective of the number of sites, reside in a zone or community and at least 1 of the project sites is located within the boundaries of a zone or community.

In the Empowerment Zone and Enterprise Community Program, communities are invited to submit strategic plans that comprehensively address how the community would link economic development with education and training as well as how community development, public safety, human services, and environmental initiatives together will support sustainable communities.

The Projects With Industry Program, under the Rehabilitation Act, intends to give preference to Empowerment Zones and Enterprise Communities. The Secretary has determined that it would serve the purposes of the Projects With Industry Program to award competitive preference to applications that propose projects that serve these zones and communities.

Under the Projects With Industry Program, competitive preference will be given to applications that propose (1) The provision of substantial services in Empowerment Zones or Enterprise Communities; and (2) To contribute to the strategic plan of the Empowerment Zone or Enterprise Community activities. Ten bonus points will be assigned to applications determined to be approved on the basis of their evaluation under the applicable program selection criteria.

EXPECTED FUNDING LEVEL PER PROJECT PER YEAR

Amounts are anticipated only; the U.S. Department of Education is not bound by the estimates given below.

- o Expected number of grants to institutions: 94
- o Anticipated average award: \$198,000
- o Anticipated Funding range: \$158,000 - \$238,000

LIMITATIONS ON USE OF FUNDS AND / OR COST-SHARING REQUIREMENTS

The Federal share may not be more than 80 percent of the total cost of a project under this program.

IMPORTANT NOTICES / RECENT CHANGES IN LEGISLATION

- o Require that each applicant for a new project demonstrate in its application how it will address the needs of individuals with disabilities from minority backgrounds (Section 21 of the Act).

Before your application can be reviewed, it must include this description. Applications for which this information is not received will not be reviewed.

o As part of the Administration's Reinventing Government Initiative, the Department has eliminated the continuation application process. All applicants for multi-year projects now are required to provide detailed budget information for each year of the total grant period requested. With the submission of detailed budget information in the initial application for the total project period, the need for the noncompeting continuation application is eliminated. An annual performance report on program outcomes and progress in achieving project goals and objectives will replace the continuation application.

CONTACT PERSON(S)

Martha Muskie

Telephone: 202-205-3293; Fax: 202-260-9424

Constance Pledger

Telephone: 202-205-8325; Fax: 202-260-9424

U.S. Department of Education Office of Special Education and
Rehabilitative Services

REHABILITATION SERVICES ADMINISTRATION
INSTRUCTIONS FOR APPLICATION FOR FEDERAL ASSISTANCE

(Non-Construction Program)

The enclosed forms shall be used by all applicants for Federal Assistance under all Rehabilitation Services Administration programs. A separate application must be submitted for each grant sought. No grant may be awarded unless the completed application forms have been received. If an item does not appear to be relevant to the assistance requested, write "NA" for not applicable.

This application consists of four parts. **These parts are organized in the same manner that the submitted application should be organized.** These parts are as follows:

Part I - Federal Assistance Application Face Page

Part II- Budget Information

Part III-Program Narrative

Part IV -Assurances, Certifications, and Disclosures

Each submitted application must include an index or table of contents and a one-page project abstract. Pages should be consecutively numbered.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is 1820-0018. The time required to complete this information collection is estimated to average 40 hours (or minutes) per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4651. **If you have comments or concerns regarding the status of your individual submission of this form, write directly to:** Information Management Team, U.S. Department of Education, 600 Independence Avenue, S.W., Washington, D.C. 20202-4651.

(Information collection approved under OMB control number 1820-0018. Expiration date: March 31, 1999.)

PART I - FEDERAL ASSISTANCE APPLICATION FACE PAGE

Part I of this application consists of the standard application face page for Federal assistance (SF 424) and the concomitant instructions. Standard instructions for completing the SF 424 form immediately follow the form. Additionally, the supplemental instructions provided below are to be used in lieu of or along with the standard instructions for the following items:

Item 1 - Non-Construction

Item 5(d) - Enter the name and telephone number of the project director (or principal contact if project director has not been identified).

Item 6 - If the applicant organization has been assigned a Department of Education (ED) entity number consisting of the IRS employer identification number prefixed by "1" and suffixed by a two-digit number, enter the full ED entity number in block 6.

Item 8 - Preprinted.

Item 10 - If the CFDA number and suffix letter are not preprinted, please insert the CFDA number and suffix letter of the program, priority, or training discipline under which the application is being submitted. Where necessary, a listing of CFDA numbers and suffix letters are provided on the following page.

Item 16 - All of the programs covered by this application package are subject to Executive Order 12372, with the exception of the Vocational Rehabilitation Service Projects for American Indians with Disabilities. Separate instructions and information governing the procedures to be followed for programs subject to Executive Order 12372 are included in the application package for those programs, including a list of those states which have established a process, designated a single point of contact, and selected these programs for review subject to the requirements of Executive Order 12372. For those programs covered by Executive Order 12372, provide the name of the State Agency to which the application was submitted for review, and include a copy of the agency's comments or, if comments have not been received, a copy of the cover letter used to transmit the application to the State agency. If the program is covered by Executive Order 12372 but the responsible state has not selected the program for review, please mark the "Not Selected" box.

APPLICATION FOR FEDERAL ASSISTANCE

		2. Date Submitted	Application Identifier
1. TYPE OF SUBMISSION __ Construction __ Non-Construction	Preapplication	3. DATE RECEIVED BY STATE	State Application Identifier
	__ Construction __ Nonconstruction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name		Organizational Unit	
Address (Give city, county, state, and zip code)		Name and telephone number of the person to be contacted on matters involving this application (give area code)	
6. Employer Identification Number ____ - _____		7. TYPE OF APPLICATION:(enter appropriate letter here) ____ A State F Intermunicipal K Indian tribe B County G Special District L Individual C Municipal H Independent School Dist. M Profit Organization D Township I State Cont. I of HL N Other (Specify) <u>Private</u> E Interstate J Private University Non-Profit	
8. TYPE OF APPLICATION <u>X</u> New __ Continuation __ Revision If Revision, enter appropriate letter(s) here ____ A Increase Award B Decrease Award C Increase Duration D Decrease Duration Other (specify)		9. NAME OF FEDERAL AGENCY	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER 84. _____ Title:		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):			
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project
15. ESTIMATED FUNDING		16. IS APPLICANT SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$.00	a. YES THIS PREAPPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE _____	
b. Applicant	\$.00	b. NO __ PROGRAM IS NOT COVERED BY E.O. 12372	
c. State	\$.00	__ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$.00	Yes If "Yes" attach an explanation No	
f. Program Income	\$.00		
g. TOTAL	\$.00		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
19. a. Typed Name of Authorized Representative		b. Title:	c. Telephone number:
d. Signature of Authorized Representative			e. Date Signed

Previous Editions Not Usable Standard Form 424 REV 4-88) Prescribed by OMB Circular A-102

Part II - Budget Information - INSTRUCTIONS FOR ED FORM NO. 524

General Instructions

This form is used to apply to individual U. S. Department of Education discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable specific instructions, if attached.

Section A - Budget Summary

U. S. Department of Education Funds

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e):

For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f):

Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, column (a)-(e):

Show the total budget request for each project year for which funding is requested.

Line 12, column (f):

Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Section B - Budget Summary

Non-Federal Funds

If you are required to provide or volunteer to provide matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e):

For each budget year for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f):

Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e):

Show the total matching contribution for each project year.

Instructions for ED Form No. 524 (Cont.)

Line 12, column (f):

Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Other Budget Information

Pay attention to applicable program specific instructions, if attached

1. Provide an itemized budget breakdown, by project year, for each budget category listed in Sections A and B.
2. If applicable to this program, enter the type of indirect rate (provisional, predetermined, final, or fixed) that will be in effect during the funding period. In addition, enter the estimated amount of the base to which the rate is applied, and the total indirect expense.
3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
4. Provide other explanations or comments you deem necessary.

SECTION D - BUDGET DETAIL/NARRATIVE

Attach separate sheets to fully explain and justify the following budget categories in support of the **FEDERAL** funding request. Include sufficient detail to facilitate determination as to allowability, relevance to the project, and cost benefits.

1. Salaries and Wages: Show the salary and wages, title, and time commitment of all persons charged to the project. Consultant fees and expenses must be included on Line 7.
2. Fringe Benefits: Include contributions for Social Security, employee insurance, pension plans, etc. Leave blank if fringe benefits applicable to direct salaries and wages are treated as part of the indirect cost rate.
3. Travel: Itemize the amount requested for travel of employees only. Travel of consultants, trainees, etc. should not go on this line, nor should local transportation costs for project staff (i.e., where no out-of-town trip is involved); these costs should be listed under the category of "Other".

While all travel must be fully justified, foreign travel should be separately identified and justified. No foreign travel will be authorized under the grant unless prior approval is obtained.

4. Equipment: List nonexpendable personal property that has a useful life of more than two years and an acquisition cost of \$500 or more per unit. However, consistent with institution policy, lower limits may be established. List items of equipment in the following format: Item, Number of Units, Cost per Unit, Total Cost.

Fully justify the need for each item of equipment.

5. Supplies: Include the cost of consumable supplies and materials to be used in the project. These should be items which cost less than \$300 per unit with a useful life of less than two years.
6. Contractual: Show all amounts for each of the following:
(1) procurement contracts (except those which belong on other lines

such as supplies and equipment listed above) and (2) grant payments to secondary recipient organizations such as delegate agencies, affiliates, cooperating institutions, political subdivisions, etc. Indicate the name of the agency, organization, or individual that is expected to receive each proposed contract. This should be supported in Part III - Program Narrative.

Note: Whenever the applicant intends to delegate part or all of the program to another agency, the applicant must submit, if available, a copy of the proposed contract or grant payment and any other supporting documentation detailing the activity and required budget of each delegate agency. If the proposed contract/grant payment has not as yet been advertised and/or negotiated, the applicant should provide any basis available that was used in developing the proposed contract/grant payment costs. Delegate agencies are not required to submit separate budget information for their portion of the total contractual budget. The total cost of all such agencies will be part of the amount shown on Line 6.

7. Other: Provide an itemized list of all remaining direct costs not clearly covered by lines 1-6 above. Examples are computer use charges, trainee stipends, tuition and fees and trainee travel costs, space or equipment rental, consultant costs, communication costs, rental of space, utilities and custodial services, printing materials, and local transportation.

For consultant expenses, give the total number of consultants that will work on the project and their costs (fees, per diem, and travel). Provide the basis for the determination of the rate identified for consultant costs for which Federal funds are requested. The justification should demonstrate how the consultant costs are reasonable, customary and consistent with the established institutional/organizational/agency policy governing consultant costs.

8. Total Direct Costs: Total lines 1 through 7.
9. Total Indirect Costs: Indirect costs are those costs of an organization that are not readily identifiable with a particular project or activity but are necessary for the general operation of the organization and the conduct of its activities.

Indicate your indirect cost rate and the amount of indirect costs to be charged to the project. If no indirect costs are requested, enter "none." This line should be used only when the applicant (except local governments) has an indirect cost rate approved by the Department of Education (ED) or another Federal agency. Local governments shall enter the amount of indirect costs determined in accordance with ED requirements.

10. Total Project Costs: Total lines 8 and 9.

In addition, provide an itemized list of the sources of all **NON-FEDERAL** funds which ties to the amounts reflected in Section B.

U. S. DEPARTMENT OF EDUCATION
BUDGET INFORMATION
NON-CONSTRUCTION PROGRAMS

OMB Control No. 1875-0102

Expiration Date: 9/30/95

Name of Institution/Organization:

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY

U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

Name of Institution/Organization:	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.
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SECTION B - BUDGET SUMMARY: NON-FEDERAL FUNDS (**MATCHING FUNDS: 20% FOR EACH FISCAL YEAR REQUIRED**)

NON-FEDERAL FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

SECTION C - OTHER BUDGET INFORMATION (see instructions)

PART III - PROGRAM NARRATIVE SERVICE PROJECTS

Prepare the Program Narrative in accordance with the following instructions. Before preparing the Program Narrative, applicants should carefully review the program regulations contained in this application package, paying special attention to the selection criteria. The Program Narrative must respond to the special emphasis of the specific program for which grant support is being requested and the selection criteria identified in the program regulations. Applicants should address the selection criteria in the same order as they appear in the program regulations.

In addition, applicants should read the applicable parts of the Education Department General Administrative Regulations (EDGAR), 34 CFR. These regulations set forth all general rules affecting application submittal, review, grant award, and post-award administration for Department of Education grant programs.

NOTE: Applicants should refer back to the "Dear Applicant" letter. It cites the appropriate sections of the program regulations and the applicable parts of EDGAR.

Since applications must be duplicated for distribution to reviewers, printed material should be legible, appear only on one side of each page, and be double spaced. To ensure that printed material is legible, the use of a high quality printer, with a 10 pitch or larger typeface, in the preparation of your application is strongly urged. Use standard 8 1/2 x 11 inch paper, white in color, and free from tabs. Also, use spring clips or rubber bands to hold the application together. Do not use binders, folders, and staples as they must be removed before duplicating applications.

Please limit the Program Narrative to 35 pages, double-spaced, and number pages consecutively. The narrative should be written concisely. Only the required information should be submitted. If appendices or other supplemental materials are included, they must be kept to a minimum and must substantiate what is proposed in the narrative., e.g., the results of a needs survey or letters of commitment from organizations that will have significant involvement with the project. All vitae should be limited to one page in length showing the source and date of earned degrees, experience relevant to working with individuals who are disabled and the person's direct relationship to the project, e.g., how the person will function in the project.

The Program Narrative should begin with an overview statement (one page abstract) that summarizes the purpose/intent of project, the goals and objectives, the target population, the impact of project, and the expected outcomes or benefits.

The Program Narrative must respond to the selection criteria in the same order as they appear in the program regulations for each priority. The proposal must address the following points:

1. Objectives and Need for this Assistance

Identify the specific need(s) which the proposed project is intended to meet and indicate why the project requires Federal support. State the principal and subordinate objectives of the project and show how the proposed project relates to the mission of the State/Federal vocational rehabilitation program, the specific discretionary program for which support is being requested, and the service needs of the geographic area to be served. Indicate the potential target or client population to be served. Objectives of the project should be (1) clearly and measurably defined in terms of intended results or outcomes within a specified time frame; and (2) based on identified needs, priorities, and related resources. Major tasks and activities should be carefully delineated. These in turn should be broken down into action steps to be completed by specified dates. Relevant needs assessment studies by the applicant or others should be footnoted or included with the application.

2. Results or Benefits Expected

Identify the significant observable, measurable results expected to be achieved during the period of the project. Productivity, for example is generally measured in such terms as the number of disabled persons served, the number rehabilitated and/or assisted to live more independently, improvement in work or independent living status following receipt of services, new services or improved service delivery systems, and/or increased participation by other kinds of program improvements. Expectations should be projected for each year of the project, including estimates and types of severely handicapped persons to be served. Show how project activities will enhance the quality of life and participation by disabled persons in family/community activities or in gainful employment.

3. Approach

a. Design and Methodology

Describe the overall plan for the project, organization of the various project elements that affect achievement of project objectives, efficiency and economy of effort, provision for obtaining appropriate and reliable data for evaluation and the appropriateness of the project design.

Describe the methodology to be employed in accomplishing objectives, including action steps; identify and specify in detail the operational procedures, overall strategy, management, and plans for efficiency and effectiveness of operations. Both the work to be performed and available resources should clearly relate to the requested budget as well as resource commitments made by others including anticipated in-kind or volunteer assistance. Describe any innovative, unique, or exemplary activities that have been or will be pursued, such as formation of interagency or consumer advisory groups, which will have a positive impact on project effectiveness, efficiency, or economy, and improved service delivery to disabled persons.

The plan of work sequentially relates to the action steps and major functions and give a timetable for their completion. It is recommended that a timetable, GANT Chart or Pert Chart graphically representing the sequence and relationship of project activities be included in the proposal. Provide for each function or activity a quantitative quarterly projection of the accomplishments to be achieved in terms such as the number and type of clients to be served. When accomplishments cannot be quantified, list them in chronological order to show the schedule of accomplishments and their target dates.

b. Staff

Describe the qualifications of the project director and key staff on the project. Indicate the time that the project director and other key personnel will commit to the project.

For each of the key staff not identified at the time of application, provide (in lieu of a qualifications statement) a job description or the qualifications sought for the position. Include a statement of the recruitment plan for a project director and any key staff to be employed, and an estimate of when the recruitment of these staff will take place.

c. Facilities and Resources

Describe the facilities that will be used for the project. Include such items as key equipment to be used, amount of floor space available, training capacity, etc. Indicate the extent to which the facilities and other resources used are free of architectural, communications, and other barriers and are fully accessible to the handicapped. Validate the organization's capability to perform the proposed project activity. Include past experiences or anticipated capability with regard to the objectives.

Provide a table of the organization and a list of the specific duties of the professional staff as well as the time each is to spend on the project.

d. Commitments from Collaborating Organizations

Participation of other organizations, financially or otherwise, enhances the viability of the proposed project. Specific commitments should be clearly documented, preferably in writing, and submitted with the application. This may include cooperating public and private agencies, commercial or industrial entities, institutions of higher education, and others. It also may include individuals such as consultants or groups of individuals that advise or help determine policy.

Identify specific contributions to the project by the applicant, and collaborating organizations including in-kind contributions, cost sharing, donations, etc.

4. Evaluation

All applications must contain a plan for project evaluation which is based on an objective and quantifiable methodology to evaluate progress toward and achievement of project objectives. The purpose of this section is to specify the evaluation plan and methodology to be used. The evaluation plan should be phased in with other project tasks to ensure that interim products can be reviewed and comments fed back to project staff in time to influence the conduct of the project. The Evaluation Plan must include:

- (1) An annual evaluation of the following elements as required under 75.590 of EDGAR:
 - (a) The grantee's progress in achieving its stated objectives;
 - (b) The effectiveness of the project in meeting the purposes of the program;
 - (c) The effect of the project on persons being served by the project.
- (2) An annual assessment of the following:
 - (a) The types of services provided;
 - (b) The cost of services provided;
 - (c) The number of clients served by disability, race, national origin, gender, and age;
 - (d) The number of clients with a severe disability served;
 - (e) The client outcomes obtained.

NOTE: Funded projects will be required to report evaluation findings in the annual performance report and in the final report at the conclusion of the project.

The Rehabilitation Act Amendments of 1992:

1. Delete the authority to fund construction costs as part of a services project under the Special Projects and Demonstrations program in section 311(a)(1);
2. Require that each applicant for a new project demonstrate in its

application how it will address the needs of individuals with disabilities from minority backgrounds (section 21 of the Act). Before your application can be reviewed, it must include this description. Applications for which this information is not received will not be reviewed.

3. Require that each grantee (funded applicant) that provides services to individuals with disabilities must advise those individuals , or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State Client Assistance Program (CAP), including information on means of seeking assistance under such program (section 20 of the Act). A list of State CAPs may be obtained by leaving your name and address on the voice mail system at (202) 205-9343.

IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:

- (a) If a rehabilitation project is in its final year of support and refunding for a new project is being requested, provide a progress report that includes a discussion of all accomplishments to date in achieving project objectives and a schedule of accomplishments or milestones anticipated with the new funding request.
- (b) A listing showing the Federal Domestic Assistance Catalog number, status and amount of each project where there is related previous, pending or anticipated assistance.

PART 369--VOCATIONAL REHABILITATION SERVICE PROJECTS

Subpart A--General

PART 369--VOCATIONAL REHABILITATION SERVICE PROJECTS

Subpart A--General

Sec.

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Authority: 29 U.S.C. 711(c), 732, 750, 775, 777(a)(1), 777(a)(3), 777(b), 777f and 795g, unless otherwise noted. Source: 46 FR 5417, Jan. 19, 1981, unless otherwise noted.

Subpart A--General

Sec. 369.1 What are the Vocational Rehabilitation Service Projects?

(a) These programs provide financial assistance for the support of special project activities for providing vocational rehabilitation services and related services to individuals with disabilities and other persons.

(b) The Secretary awards financial assistance through the following programs--

(1) Vocational Rehabilitation Service Projects for American Indians with Disabilities (34 CFR Part 371).

(2) Comprehensive Rehabilitation Centers (34 CFR Part 372).

(3) Special Projects and Demonstrations for Providing Vocational Rehabilitation Services to Individuals with Disabilities (34 CFR Part 373).

(4) Special Projects and Demonstrations for Making Recreational Activities Accessible to Individuals with Disabilities (34 CFR Part 374).

(5) Vocational Rehabilitation Service Projects for Migratory Agricultural and Seasonal Farmworkers with Disabilities (34 CFR Part 375).

(6) Special Projects and Demonstrations for Providing Transitional Rehabilitation Services to Youths with Disabilities (34 CFR Part 376).

(7) Projects for Initiating Special Recreation Programs for Individuals with Disabilities (34 CFR Part 378).

(8) Projects with Industry (34 CFR Part 379).

(Authority: Secs. 112, 130, 305, 308, 311a, 311(a)(3), 311(a)(4), 312, 316, and 621 of the Act; 29 U.S.C. 732, 750, 775, 776, 777(a)(1), 777(a)(3), 777(a)(4), 777(b), 777f, and 795g) [46 FR 5417, Jan. 19, 1981, as amended at 50 FR 9962, Mar. 12, 1985; 51 FR 3895, Jan. 30, 1986; 53 FR 17142, 17143, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

Sec. 369.2 Who is eligible for assistance under these programs?

(a) Vocational rehabilitation service projects for American Indians with disabilities.

Governing bodies of Indian tribes and consortia of those governing bodies located on Federal and State reservations are eligible for assistance to support projects for providing vocational rehabilitation services to American Indians with disabilities.

(Authority: Sec. 130 of the Act; 29 U.S.C. 750)

(b) Comprehensive rehabilitation centers.

State vocational rehabilitation units are eligible for assistance to support comprehensive rehabilitation center projects.

(Authority: Sec. 305 of the Act; 29 U.S.C. 775)

(c) Special projects and demonstrations for providing vocational rehabilitation services to individuals with disabilities.

States and public and other nonprofit agencies and organizations are eligible for expanding or otherwise improving vocational rehabilitation services to individuals with disabilities.

(Authority: Sec. 311(a)(1) of the Act; 29 U.S.C. 777(a)(1))

(d) Special projects and demonstrations for making recreational activities accessible to individuals with disabilities.

States and public and other nonprofit agencies and organizations are eligible for assistance to support special projects and demonstrations for making recreational activities accessible to individuals with disabilities.

(Authority: Sec. 311(a)(3) of the Act; 29 U.S.C. 777(a)(3))

(e) Vocational rehabilitation service projects for migratory agricultural workers and seasonal farmworkers with disabilities.
State vocational rehabilitation agencies, local agencies administering vocational rehabilitation programs under written agreements with State agencies, and nonprofit agencies working in collaboration with State vocational rehabilitation agencies are eligible for assistance to support projects for providing vocational rehabilitation services to migratory agricultural workers or seasonal farmworkers with disabilities.

(Authority: Sec. 312 of the Act; 29 U.S.C. 777(b))

(f) Projects for initiating special recreation programs for individuals with disabilities.

State and other public agencies and private nonprofit agencies and organizations are eligible for assistance to support projects for initiating special recreation programs for individuals with disabilities.

(Authority: Sec. 316 of the Act; 29 U.S.C. 777(f))

(g) Projects with industry.

Any designated State unit, labor union, community rehabilitation program provider, Indian tribe or tribal organization employer, trade association, or other agency or organization with the capacity to create and expand job and career opportunities for individuals with disabilities is eligible for assistance to support a project with industry.

(Authority: Sec. 621 of the Act; 29 U.S.C. 795(g))

(h) Special projects and demonstrations for providing transitional rehabilitation services to youths with disabilities.
State and other public and nonprofit agencies and organizations are eligible for assistance under this program.

(Authority: Sec. 311(c) of the Act; 29 U.S.C. 777a(c)) [46 FR 5417, Jan. 19, 1981, as amended at 50 FR 9962, Mar. 12, 1985; 51 FR 3895, Jan. 30, 1986; 53 FR 17142, 17143, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

Sec. 369.3 What regulations apply to these programs?

The following regulations apply to the programs listed in Sec. 369.1(b):

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR part 75 (Direct Grant Programs).

(3) 34 CFR part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities); except the Part 79 does not apply to the Vocational Rehabilitation Service Program for American Indians with Disabilities.

(5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(6) 34 CFR part 81 (General Education Provisions Act--Enforcement).

(7) 34 CFR part 82 (New Restrictions on Lobbying).

(8) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(9) 34 CFR part 86 (Drug-Free Schools and Campuses).

(b) The regulations in this Part 369.

(c) The regulations in 34 CFR Parts 371, 372, 373, 374, 375, 376, 378, and 379, as appropriate.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [51 FR 3895, Jan. 30, 1986, as amended at 55 FR 21714, May 25, 1990; 59 FR 8335, Feb. 18, 1994]

Sec. 369.4 What definitions apply to these programs?

(a) The following definitions in 34 CFR Part 77 apply to the programs under Vocational Rehabilitation Service Projects--

Applicant
Application

Award
Budget Period
Department
EDGAR
Nonprofit
Profit
Project Period
Public
Secretary
Work of Art

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

(b) The following definitions also apply to programs under Vocational Rehabilitation Service Projects:

Act means the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended.

Community rehabilitation program means a program that provides directly or facilitates the provision of vocational rehabilitation services to individuals with disabilities, and that provides, singly or in combination, for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement--

- (1) Medical, psychiatric, psychological, social, and vocational services that are provided under one management;
- (2) Testing, fitting, or training in the use of prosthetic and orthotic devices;
- (3) Recreational therapy;
- (4) Physical and occupational therapy;
- (5) Speech, language and hearing therapy;
- (6) Psychiatric, psychological and social services, including positive behavior management;
- (7) Assessment for determining eligibility and vocational rehabilitation needs;
- (8) Rehabilitation technology;
- (9) Job development, placement, and retention services;
- (10) Evaluation or control of specific disabilities;
- (11) Orientation and mobility services for individuals who are blind;
- (12) Extended employment;

(13) Psychosocial rehabilitation services;

(14) Supported employment services and extended services;

(15) Services to family members when necessary to the vocational rehabilitation of the individual;

(16) Personal assistance services; or

(17) Services similar to the services described in paragraphs (1) through (16) of this definition.

(Authority: Sec. 7(25) of the Act; 29 U.S.C. 706(25))

Employment outcome means entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market, the practice of a profession, self-employment, homemaking, farm or family work (including work for which payment is in kind rather than cash), extended employment in a community rehabilitation program, supported employment, or other gainful work.

(Authority: Sec 7(5) of the Act; 29 U.S.C. 706(5))

Individual who is blind means a person who is blind within the meaning of the law relating to vocational rehabilitation in each State.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

Individual with a disability means any individual who--

(1) Has a physical or mental impairment that for that individual constitutes or results in a substantial impediment to employment; and

(2) Can benefit in terms of an employment outcome from vocational rehabilitation services provided under Titles I, III, VI, or VIII of the Act.

(Authority: Sec. 7(8)(A) of the Act; 29 U.S.C. 706(8)(A))

Individual with a severe disability means an individual with a disability--

(1) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;

(2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy,

cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, sickle-cell anemia, specific learning disabilities, end-stage renal disease, or another disability or combination of disabilities determined to cause comparable substantial functional limitation.

(Authority: Sec. 7(15)(A) of the Act; 29 U.S.C. 706(15)(A))

Physical and mental restoration services means--

- (1) Medical or corrective surgical treatment for the purpose of correcting or modifying substantially a physical or mental condition that is stable or slowly progressive and constitutes a substantial impediment to employment and that is likely, within a reasonable period of time, to be corrected or substantially modified as a result of the medical or surgical treatment;
- (2) Diagnosis and treatment for mental or emotional disorders by qualified personnel in accordance with State licensure laws;
- (3) Dentistry;
- (4) Nursing services;
- (5) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;
- (6) Convalescent or nursing home care;
- (7) Drugs and supplies;
- (8) Prosthetic, orthotic, or other assistive devices, including hearing aids essential to obtaining or retaining employment;
- (9) Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids, prescribed by qualified persons under State licensure laws, that are selected by the individual;
- (10) Podiatry;
- (11) Physical therapy;
- (12) Occupational therapy;
- (13) Speech and hearing therapy;

(14) Psychological services;

(15) Therapeutic recreation services;

(16) Medical or medically related social work services;

(17) Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services or that are inherent in the condition under treatment;

(18) Special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies; and

(19) Other medical or medically related rehabilitation services, including art therapy, dance therapy, music therapy, and psychodrama.

(Authority: Sec. 103(a)(4) of the Act; 29 U.S.C. 723(a)(4))

Physical or mental impairment means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's employment activities or vocational functioning.

(Authority: Sec. 7(8)(A) of the Act; 29 U.S.C. 706(8)(A))

Reservation means a Federal or State Indian reservation, public domain Indian allotment, former Indian reservation in Oklahoma, and land held by incorporated Native groups, regional corporations and village corporations under the provisions of the Alaska Native Claims Settlement Act.

(Authority: Sec. 130(c) of the Act; 29 U.S.C. 750(c))

State agency means the sole State agency designated to administer (or supervise local administration of) the State plan for vocational rehabilitation services. The term includes the State agency for the blind, if designated as the sole State agency with respect to that part of the plan relating to the vocational rehabilitation of individuals who are blind.

(Authority: Sec. 7(3)(A) and 101(a)(1)(A) of the Act; 29 U.S.C. 721(a)(1)(A))

State plan means the State plan for vocational rehabilitation services. (34 CFR Part 361)

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

State unit, State vocational rehabilitation unit or designated State unit means either--

(1) The State agency vocational rehabilitation bureau, division, or other organizational unit that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and that is responsible for the administration of the vocational rehabilitation program of the State agency; or

(2) The independent State commission, board, or other agency that has vocational rehabilitation, or vocational and other rehabilitation as its primary function.

(Authority: Sec. 7(3) of the Act; 29 U.S.C. 706(3))

Substantial impediment to employment means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, and other related factors) significantly restricts an individual's occupational performance by preventing his preparing for, obtaining, or retaining employment consistent with his capacities and abilities.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

Vocational rehabilitation services:

(1) When provided to an individual, means any goods or services necessary to render an individual with a disability employable, including, but not limited to, the following--

(i) An assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

(ii) Counseling, guidance, and work-related placement services for individuals with disabilities, including job search assistance, placement assistance, job retention services, personal assistance services, and follow-up, follow-along, and specific diagnosis services necessary to assist such individuals to maintain, regain, or advance in employment;

(iii) Vocational and other training services for individuals with disabilities, including personal and vocational adjustment, books, or other training materials;

(iv) Services to the families of such individuals with disabilities, if necessary to the adjustment or rehabilitation of such individuals;

(v) Physical and mental restoration services;

(vi) Maintenance for additional costs incurred while participating in rehabilitation;

(vii) Interpreter services and note-taking services for individuals who are deaf, including tactile interpreting for individuals who are deaf-blind;

(viii) Reader services and note-taking services for those individuals who are determined to be blind after an examination by qualified personnel under State licensure laws;

(ix) Recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety and law enforcement, and other appropriate service employment;

(x) Rehabilitation teaching services and orientation and mobility services for individuals who are blind;

(xi) Occupational licenses, tools, equipment, and initial stocks and supplies;

(xii) Transportation in connection with the rendering of any vocational rehabilitation service;

(xiii) Telecommunications, sensory, and other technological aids and devices;

(xiv) Rehabilitation technology services;

(xv) Referral and other services designed to assist individuals with disabilities in securing needed services from other agencies;

(xvi) Transition services that promote or facilitate the accomplishment of long-term rehabilitation goals and intermediate rehabilitation objectives;

(xvii) On-the-job or other related personal assistance services provided while an individual with a disability is receiving vocational rehabilitation services; and

(xviii) Supported employment services.

(Authority: Sec. 103(a) of the Act; 29 U.S.C. 723(a))

(2) When provided for the benefit of groups of individuals, Vocational rehabilitation services also means--

(i) In the case of any type of small business enterprise operated by individuals with the most severe disabilities under the supervision of the State unit, management services, and supervision and acquisition of vending facilities or other equipment, and initial stocks and supplies;

(ii) The establishment, development, or improvement of community rehabilitation programs, including, under special circumstances, the construction of a rehabilitation facility to provide services that promote integration and competitive employment;

(iii) The provision of services, including services provided at community rehabilitation programs, that promise to contribute substantially to the

rehabilitation of a group of individuals but that are not related directly to the individualized written rehabilitation program of any one individual with disabilities;

(iv) The use of existing telecommunications systems;

(v) The use of services providing recorded material for persons who are blind and captioned films or video cassettes for persons who are deaf; and

(vi) Technical assistance and support services to businesses that are not subject to Title I of the Americans with Disabilities Act of 1990 and that are seeking to employ individuals with disabilities.

(Authority: Sec. 103(b) of the Act; 29 U.S.C. 723(b)) [46 FR 5417, Jan. 19, 1981, as amended at 50 FR 38630, Sept. 23, 1985; 53 FR 17143, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

Subpart B--[Reserved]

Subpart C--How Does One Apply for a Grant?

Sec. 369.20 What are the application procedures for these programs?

The Secretary gives the appropriate State vocational rehabilitation unit an opportunity to review and comment on applications submitted from within the State that it serves. The procedures to be followed by the applicant and the State are in EDGAR Secs. 75.155-75.159.

(Authority: Sec. 12)(c) of the Act; 29 U.S.C. 711(c))

Sec. 369.21 What application requirement applies to these programs?

Each applicant for a grant under a program under 34 CFR Parts 372, 373, 374, 375, 376, 378, or 379 must include in its application a description of the manner in which it will address the needs of individuals with disabilities from minority backgrounds.

(Approved by the Office of Management and Budget under control number 1820-0018)

(Authority: Sec. 21(b)(5) of the Act; 29 U.S.C. 718b) [59 FR 8337, Feb. 18, 1994]

Subpart D--How Does the Secretary Make a Grant?

Sec. 369.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates each application on the basis of general selection criteria in Sec. 369.31 and specific selection criteria in 34 CFR Parts 371,

372, 373, 374, 375, 376, 378, and 379. The maximum possible score for each complete criterion under each Vocational Rehabilitation Service Project category is stated in parentheses in Secs. 71.30, 372.30, 373.30, 374.30, 375.30, 376.31, 378.30, and 379.30. The number of points awarded under each criterion depends on how well the application meets all the elements under that criterion.

(b) The Secretary awards up to 100 possible points for these selection criteria.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [46 FR 5417, Jan. 19, 1981, as amended at 51 FR 3895, Jan. 30, 1986]

Sec. 369.31 What general selection criteria does the Secretary use in reviewing an application?

(a) Plan of operation.

(1) The Secretary reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows--

- (i) High quality in the design of the project;
- (ii) An effective plan of management that insures proper and efficient administration of the project;
- (iii) A clear description of how the objectives of the project relate to the purpose of the program;
- (iv) The way the applicant plans to use its resources and personnel to achieve each objective;
- (v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as--

- (A) Persons with disabilities;
- (B) The elderly;
- (C) Women; and
- (D) Members of racial or ethnic minority groups;

(b) Quality of key personnel.

(1) The Secretary reviews each application for information that shows the quality of key personnel proposed for the project;

(2) The Secretary looks for information that shows--

- (i) The qualifications of the project director;
- (ii) The qualifications of each of the other key personnel to be used in the project;
- (iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this criterion will commit to the project; and (iv) The extent to which the

applicant, as part of its non-discriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as--

- (A) Persons with disabilities;
- (B) The elderly;
- (C) Women; and
- (D) Members of racial or ethnic minority groups.

(3) To determine personnel qualifications, the Secretary considers experience and training, in fields related to the objectives of the project, as well as other information that the applicant provides.

(c) Budget and cost effectiveness.

(1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows--

- (i) The budget for the project is adequate to support the project activities;
- (ii) Costs are reasonable in relation to the objectives of the project.

(d) Evaluation plan.

(1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project.

(2) The Secretary looks for information that shows methods of evaluation that are appropriate for the project, and to the extent possible, are objective, and produce data that are quantifiable.

(e) Adequacy of resources.

(1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows--

- (i) The facilities that the applicant plans to use are adequate; and
- (ii) The equipment and supplies that the applicant plans to use are adequate.

(Approved by the Office of Management and Budget under control number 1820-0018)

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17143, May 13, 1988; 53 FR 49145, Dec. 6, 1988; 59 FR 8335, Feb. 18, 1994]

Sec. 369.32 What other factors does the Secretary consider in reviewing an

application?

In addition to the selection criteria listed in Sec. 369.31 and 34 CFR Parts 371, 372, 373, 374, 375, 376, 378, and 379, the Secretary, in making awards under these programs, considers such factors as--

(a) The geographical distribution of projects in each program category throughout the country; and

(b) The past performance of the applicant in carrying out similar activities under previously awarded grants, as indicated by such factors as compliance with grant conditions, soundness of programmatic and financial management practices and attainment of established project objectives.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(a)). [46 FR 5417, Jan. 19, 1981, as amended at 51 FR 3895, Jan. 30, 1986]

Subpart E--What Conditions Must Be Met by a Grantee?

Secs. 369.40--369.41 [Reserved]

Sec. 369.42 What special requirements affect provision of services to individuals with disabilities?

(a) Vocational rehabilitation services provided in projects assisted under these programs must be provided in the same manner as services provided under the State plan for vocational rehabilitation services under 34 CFR Part 361.

(b) Each grantee under 34 CFR parts 371, 372, 373, 374, 375, 376, 378, or 379 must advise applicants for or recipients of services under its project, or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State's Client Assistance Program, including information on seeking assistance from that program.

(Authority: Secs. 20 and 306(h) of the Act; 29 U.S.C. 718a and 776(h)) [46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8337, Feb. 18, 1994]

Sec. 369.43 What are the affirmative action plan requirements affecting grantees?

A recipient of Federal assistance must develop and implement an affirmative action plan to employ and advance in employment qualified individuals with disabilities. This plan must provide for specific action steps, timetables, and complaint and enforcement procedures necessary to assure affirmative action.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

Sec. 369.44 What wage and hour standards apply to community rehabilitation programs?

All applicable Federal and State wage and hour standards must be observed in projects carried out in community rehabilitation programs.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [46 FR 5417, Jan. 19, 1981. Redesignated and amended at 59 FR 8337, Feb. 18, 1994]

Sec. 369.45 What are the special requirements pertaining to the membership of project advisory committees?

If an advisory committee is established under a project, its membership must include persons with disabilities or their representatives and other individuals to be assisted within the project, providers of services, and other appropriate individuals.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8335, Feb. 18, 1994. Redesignated at 59 FR 8337, Feb. 18, 1994]

Sec. 369.46 What are the special requirements pertaining to the protection, use, and release of personal information?

(a) All personal information about individuals served by any project under this part, including lists of names, addresses, photographs, and records of evaluation, must be held confidential.

(b) The use of information and records concerning individuals must be limited only to purposes directly connected with the project, including project evaluation activities. This information may not be disclosed, directly or indirectly, other than in the administration of the project unless the consent of the agency providing the information and the individual to whom the information applies, or his or her representative, have been obtained in writing. The Secretary or other Federal or State officials responsible for enforcing legal requirements have access to this information without written consent being obtained. The final product of the project may not reveal any personal identifying information without written consent of the individual or his or her representative.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [46 FR 5417, Jan. 19, 1981. Redesignated at 59 FR 8337, Feb. 18, 1994]

Sec. 369.47 What are the special requirements affecting the collection of data from State agencies?

If the collection of data is necessary either from individuals with disabilities. being served by two or more State agencies or from employees of two or more of these agencies, the project director must submit requests for the

data to appropriate representatives of the affected agencies, as determined by the Secretary. This requirement also applies to employed project staff and individuals enrolled in courses of study supported under this part.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c)) [46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8335, Feb. 18, 1994. Redesignated at 59 FR 8337, Feb. 18, 1994]

Sec. 369.48 [Redesignated. 59 FR 8337, Feb. 18, 1994]

PART 379--PROJECTS WITH INDUSTRY
Subpart A--General

Sec.
379.1

4000-01-P

DEPARTMENT OF EDUCATION

34 CFR Part 379

RIN 1820-AB33

Projects With Industry

AGENCY: Department of Education

ACTION: Final Regulations

SUMMARY: The Secretary amends the regulations governing the Projects With Industry (PWI) program to clarify statutory intent, reduce grantee burden, address certain implementation problems, and enhance project accountability.

EFFECTIVE DATE: These regulations take effect March 7, 1997.

FOR FURTHER INFORMATION CONTACT: Thomas E. Finch, U.S. Department of Education, 600 Independence Avenue, S.W., Room 3315, Mary E. Switzer Building, Washington, D.C. 20202-2575. Telephone: (202) 205-8292. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

The PWI program is authorized by section 621 of the Rehabilitation Act of 1973, as amended (the Act). The purpose of the PWI program is to create and expand job and career opportunities for individuals with disabilities in the competitive labor market by establishing partnerships between program grantees and private industry to provide job training, job placement, and career advancement activities.

On January 22, 1996, the Secretary published a notice of proposed rulemaking (NPRM) for this program in the FEDERAL REGISTER (61 FR 1672). The major issues related to this program are discussed in greater detail in the preamble to the NPRM.

The significant changes made in these final regulations from the NPRM include revision of the definitions of "placement," "competitive employment," and "integrated setting," as well as an additional application content requirement for a description of career advancement services. These changes are discussed in detail in the analysis of comments section of the preamble to the final regulations.

The Secretary invited comments on changes needed to improve the compliance indicators in the NPRM, but has made no changes to the indicators in these final regulations. The comments provided in response to the NPRM, as well as the comments provided by interested parties in subsequent follow-up meetings held by the Rehabilitation Services Administration (RSA), will be used by the Department in determining what changes to make to the compliance indicators. The Secretary expects to propose specific revisions to the PWI compliance indicators in the near future.

Goals 2000: Educate America Act

The Goals 2000: Educate America Act (Goals 2000) focuses the Nation's education reform efforts on the eight National Education Goals and provides a framework for meeting them. Goals 2000 promotes new partnerships to strengthen schools and expands the Department's capacities for helping communities to exchange ideas and obtain information needed to achieve the goals.

These regulations address the National Education Goal that every adult

American will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

Executive Order 12866:

Assessment of costs and benefits

These final regulations have been reviewed in accordance with Executive Order 12866. Under the terms of the order the Secretary has assessed the potential costs and benefits of this regulatory action.

The potential costs associated with the final regulations are those resulting from statutory requirements and those determined by the Secretary as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits--both quantitative and qualitative--of these final regulations, the Secretary has determined that the benefits of the final regulations justify the costs.

The Secretary has also determined that this regulatory action does not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

Summary of potential costs and benefits:

The potential costs and benefits of these final regulations were discussed in the preamble to the NPRM under the following headings: More Accurate Reflection of Statutory Requirements, Reduction of Grantee Burden, and Clarification of Program Requirements (61 FR 1677).

Analysis of Comments and Changes

In response to the Secretary's invitation in the NPRM, 87 parties submitted comments on the proposed regulations. An analysis of the comments and of the changes in the regulations since publication of the NPRM follows.

The comments have been grouped according to subject, with appropriate references to sections of the regulations. Technical and other minor changes--and suggested changes the Secretary is not legally authorized to make under the applicable statutory authority--are not addressed.

§379.3 Eligibility for Services

Comments: Several commenters recommended alternative procedures for determining eligibility for PWI services other than those specified in the NPRM. One commenter wanted eligibility to be determined jointly by the State vocational rehabilitation (VR) agency, the PWI grantee, and the individual seeking PWI services. Another commenter stated that only the VR agency or its designee should make eligibility determinations. Another commenter wanted PWI grantees to be allowed to determine eligibility for PWI services without VR agency review. Another commenter wanted the final regulations to clarify that a PWI grantee is responsible for making eligibility determinations even if the grant is sub-contracted to another organization. A final commenter raised concerns that some VR agencies do not respond to initial or preliminary determinations of eligibility made by PWI grantees.

Discussion: Section 621(a)(3) of the Act prescribes the manner in which eligibility for PWI services is to be determined. The VR agency is initially authorized to make eligibility determinations in this program, but if the VR agency fails to act, either by not making a determination or failing to disagree within 60 days with a preliminary determination of eligibility made by the PWI grantee, then the PWI grantee can determine eligibility. There is no legal authority to substitute a different eligibility determination process in the

regulations. Under the Department's grants regulations, grantees are held responsible for all aspects of their project operations, even if they subcontract project activities. Finally, the regulations address concerns that some VR agencies do not respond to preliminary PWI eligibility determinations by providing, consistent with the statute, that if the VR agency fails to act within 60 days, then the preliminary PWI eligibility determination becomes a final determination.

Changes: The Secretary has revised the explanatory material in the note following this section to clarify that if the VR agency has referred an individual to a PWI project for services, then the VR agency has already determined that the individual is eligible for project services. In other instances, the PWI grantee makes an initial determination of eligibility that becomes final if not countermanded by the VR agency within 60 days.

§379.5 Definitions

§379.5(b)(2)(ii) Definition of "competitive employment"--prevailing community wage requirement

Comments: Several commenters opposed the requirement in the proposed regulations that individuals in competitive employment earn at least the prevailing wage for the same or similar work in the local community performed by non-disabled individuals. Eight commenters believed that it would be unduly burdensome for grantees to ascertain the relevant prevailing wage given the potential differences in wages provided by employers within the same community. A few commenters stated that prevailing community wage rates are sometimes inflated and that many job-seekers are unsuccessful in finding employment at the prevailing community wage. Several commenters recommended that the final regulations require only that the minimum wage be paid and that PWI participants be afforded the same terms and benefits provided to non-disabled co-workers in similar jobs, consistent with section 621(b)(1) and (2) of the Act. Other commenters recommended that the wage standard should be one of parity with the wages paid by the same employer to non-disabled workers doing the same or similar job.

Discussion: The Secretary agrees that requiring individuals placed by the PWI program into competitive employment to earn at least the prevailing wage for the same or similar work in the local community performed by non-disabled individuals is unduly restrictive and potentially burdensome. The Secretary also agrees that a more reasonable wage standard is one that is employer-based rather than community-based and that requires equity in wage and terms and benefits (e.g., insurance premiums, retirement contributions) with non-disabled workers.

Changes: The Secretary has amended §379.5(b)(2)(ii) to define "competitive work," in part, as work for which an individual earns at least the minimum wage but not less than the customary or usual wage and terms and benefits provided by the same employer to non-disabled workers who perform the same or similar work.

§379.5(b)(3) Definition of integrated setting, as part of the definition of "competitive employment"

Comments: Several commenters were concerned that the proposed standard for integration in competitive employment (the opportunity for interaction with non-disabled individuals at the work site) would preclude certain kinds of employment outcomes from the scope of competitive employment. Specifically, the

commenters identified self-employment, home-based employment, and various forms of telecommuting as examples of employment outcomes that are competitive, but are not located in integrated settings. These commenters stated that these employment options should be available to individuals with disabilities served by the PWI program to the same extent that they are available to non-disabled persons. Other commenters stated that individuals in competitive employment should be required to interact with non-disabled persons only to the extent that non-disabled persons in similar positions interact with others.

Discussion: The Secretary agrees with those commenters who contend that the best measure of integration in an employment setting for individuals with disabilities is to require parity with the integration experienced by non-disabled workers in similar positions. The Secretary also believes that interaction between individuals with disabilities and non-disabled persons need not be face-to-face in order to meet this standard. Individuals with disabilities under the PWI program who are self-employed or who telecommute may interact regularly with non-disabled persons through a variety of mediums (e.g., telephone, facsimile, or computer). Self-employment, home-based employment, and other forms of employment in which individuals communicate regularly from separate locations, therefore, would satisfy the integration requirement of competitive employment as long as the individual interacts with non-disabled persons, other than service providers, to the same extent as a non-disabled person in a comparable job.

Changes: The Secretary has revised §379.5(b)(3) to establish a standard of integration for individuals in competitive employment that is based on ensuring the same level of interaction with non-disabled persons as that experienced by a non-disabled worker in the same or similar job.

§379.5(b)(5) Definition of "Job Training"

Comments: One commenter recommended the inclusion of pre-employment planning under the definition of job training. Another commenter recommended expanding the definition of job training to include social preparation for individuals interviewing for jobs. Ten commenters recommended deleting the phrase "provided prior to placement" because the phrase excludes training by employers or other entities after placement. Two commenters recommended that attitudinal change training be provided for employers under the definition of training. Four commenters recommended that training be provided in an integrated setting. Other commenters underscored the need for specific input on the part of the Business Advisory Committee (BAC) in identifying and prescribing training needs. Still other commenters stated that the responsibility for defining the parameters of job training should be the domain of the BAC. Another commenter stated that the emphasis on skills training is contrary to current trends of "one-stop career centers" and expressed doubts as to whether grantees have adequate resources and expertise to provide job skills training.

Discussion: The Secretary believes that the final regulations give projects sufficient flexibility to provide pre-employment planning and interview preparation if these services are deemed necessary. However, the Secretary believes that these activities fall under the definition of job readiness training in §379.5(b)(4), rather than the definition of job training under this section. The Secretary also believes that attitudinal change training for employers is an authorized activity under the PWI program, but does not believe

it falls within the scope of job training, as it is defined in this section.

While section 621(a)(2)(B) of the Act requires that training be provided in "realistic work settings," the Secretary does not believe that this can be interpreted to require projects to provide training in an integrated setting. However, the Secretary encourages projects to ensure that training is provided in an integrated setting to the extent possible.

The Secretary strongly agrees with the commenters who stated that the BAC should take an active role in prescribing training programs and notes that this is consistent with section 621(a)(2)(A)(iv) of the Act, which states that the BAC shall "prescribe training programs designed to develop appropriate job and career skills." The Secretary does not believe that the definition of job training in this section in any way weakens this statutory requirement.

The Secretary notes the concern of some commenters that grantees may have insufficient resources to provide job training. The use of the BAC, other private industry expertise, and active collaboration with State VR agencies and other providers can supplement what individual projects may lack in terms of resources for job training.

Changes: None.

§379.5(b)(7) Definition of "placement"

Comments: One commenter recommended that the term "placement" be deleted throughout the regulations and replaced with the term "PWI employment outcome." This commenter believed the use of the term "placement" was confusing because the proposed definition includes two elements: (1) attaining competitive employment and (2) maintaining it for a certain period.

Other commenters were concerned about the proposed minimum retention period for maintaining competitive employment in order to have the employment outcome considered a placement for purposes of meeting the program compliance indicators. The NPRM proposed the option of using the duration of the employer's normal probationary period or, if the employer does not have an established probationary period, for at least 90 days. The current regulatory time period for maintaining employment is 60 days. These commenters stated that the use of a probationary period was problematical for a variety of reasons, such as (1) an employer's probationary period could be as short as two weeks, and that timeframe would be inadequate; (2) many employers no longer use probationary periods, so the option is not meaningful; and (3) if some employers have long probationary periods, some projects might be disinclined to place individuals with those employers. Some commenters argued for a uniform Federal standard in the regulations that would avoid variations among employers. Some of these commenters suggested that there be no change from the current retention period of 60 days. Other commenters recommended 90 days, 120 days, 180 days, or 12 months. Some commenters objected to any specific timeframe in the regulations and believed the retention period should be individually determined by the individual with a disability, the counselor, and the employer.

Some commenters recommended that the phrase "who has successfully completed training" be deleted from the definition because the regulations recognize that not all persons served by a PWI project may need and, therefore, receive job training.

Discussion: The Secretary does not believe the use of the term "placement," as defined in the regulations, is confusing. The PWI regulations for many years

have defined "placement" to include a required period of time in which a competitive employment outcome must be maintained.

The Secretary agrees with those commenters who believe the use of a probationary period option is problematical and that a uniform minimum retention period prescribed in the regulations is desirable. The Secretary also believes that the retention period should be longer than the 60 days required in the current regulations in order to ensure that the individual's employment remains stable. The Secretary has determined that 90 days is the minimum acceptable standard and that this lengthened time period will result in more successful placements. At the same time, however, the Secretary recognizes that in some instances 90 days may be too short a period to ensure job stability. Section 621(a)(2)(E) of the Act requires projects to provide any support services that may be required for an individual to maintain employment. Therefore, the Secretary encourages projects to make individualized determinations of whether to extend the 90-day period to conform with an employer's longer probationary period if, at the end of the 90 days, it is uncertain whether the individual will be able to successfully satisfy the probationary period without support services from the project.

The Secretary also agrees that the phrase "who has successfully completed training" is inaccurate and should be removed from the definition because some project participants may not need job training.

Changes: The Secretary has amended the definition of "placement" in the final regulations to provide for a minimum job retention period of 90 days and to substitute the phrase "who has received services" for the phrase "who has successfully completed training."

§379.10(a) Project requirements regarding job training and the note to this section

Comments: One commenter recommended deletion of the last three sentences of the note, which specify that training provided after placement (i.e., attaining competitive employment and maintaining it for at least 90 days) or job-readiness training do not satisfy the requirement that projects provide job training. Another commenter suggested revising this requirement to allow projects the option of providing only job readiness training. Some commenters suggested that individual projects should have the responsibility of assessing each participant's training needs and how that training will be provided. Some commenters suggested that grantees should be allowed the flexibility to work with employers in order to provide training on the job. Some commenters questioned whether job training should be provided for all participants. Two commenters stated that all grantees should have an identifiable training component for individuals who lack job skills, but that all program participants should not be required to avail themselves of training. Other commenters mentioned the added costs of providing job training and asked whether grant awards should be increased to cover these costs.

Discussion: The Secretary disagrees with the commenter who suggests deletion of the clarification in the note that training provided after placement and job readiness training do not by themselves satisfy the requirement in §379.10(a). In accordance with section 621(a)(2)(B) of the Act, projects are required to provide training in order to prepare the individuals for employment and career advancement in the competitive market. The Secretary, therefore, believes that

projects should ensure that training, if deemed appropriate to the participant's needs, is provided either before the individual begins employment or within the first 90 days of employment (i.e., before the individual is considered placed in accordance with the definition of "placement" in §379.5(b)(7)). On-the-job training would meet the requirements of this section if the project ensures its provision and it is provided within the first 90 days of employment. The 90-day requirement, of course, does not apply to employed individuals who are receiving career advancement services from a PWI project.

The Secretary also believes that the job training requirement is not met if a project provides only job readiness training. While job readiness training is an authorized activity under the PWI program, the Secretary believes that job readiness training alone does not meet the statutory requirement that projects provide training to prepare individuals for employment in the competitive labor market. The final regulations, like the NPRM, therefore contain separate definitions of "job training" and "job readiness training." The Secretary agrees with those commenters who suggested that job training need not be provided to every participant. The language in this section requires that job training be provided "if appropriate to the needs of each individual served by the project." However, the Secretary expects that every project will have a job training component (whether the training is provided on-site, through employers and other entities, or both), since a certain population of individuals will enter the program without the job skills necessary to be placed and advance in competitive employment.

The Secretary notes the concern of commenters regarding the costs of providing job training. The Secretary believes the regulations give projects sufficient flexibility to arrange with employers and other entities to provide job training should they find that providing job training themselves is too costly or for other reasons is not feasible.

Changes: The Secretary has added a statement to the note to emphasize that if a project arranges for the provision of job training by outside entities (e.g., an employer), the project must conduct appropriate follow-up measures to ensure that training is provided. The note is also amended to clarify that job training must be provided either prior to, or within 90 days of, attaining competitive employment and that job training provided by the employer after this 90-day period, therefore, does not meet the requirement of §379.10(a).

§379.21(a)(1) Application content requirement regarding labor market analysis

Comments: A number of commenters stated that a labor market analysis obligates applicants to predict for five years the training needs that will meet the demands of the labor market and that the labor market changes too rapidly for this to be accomplished. Other commenters recommended deleting the language regarding labor market analysis. Other commenters stated that individuals with disabilities may not fit appropriately into a market trend and may require individualized job matching. A commenter recommended that each application describe how existing labor market studies will be used in securing employment and validating training needs.

Discussion: The Secretary does not intend to require the use of a particular tool (e.g., a labor market analysis) to identify the needs of the local labor market. If an applicant determines that a labor market analysis is inappropriate for the type of project being proposed, the applicant can choose a

different method of identifying local labor market needs. The requirement in §379.21(a)(1) is intended to ensure that applicants have assessed labor market needs in the geographic area to be served and have designed their projects in accordance with the identified needs for people trained for specific occupations. Applicants can determine labor market needs by either performing their own labor market analyses or needs assessments in conjunction with private industry or by using existing current labor market analyses or needs assessments. The Secretary understands that local labor market needs may change during the five-year duration of the project and that these changes may, in some cases, necessitate adjustments in the project. However, the Secretary believes that this does not diminish the utility of an initial labor market analysis or needs assessment. The Secretary also believes that the identification of local labor market needs does not contravene the practice of individualized job-matching for individuals with disabilities.

Changes: The Secretary has made minor changes to clarify that the applicant may comply with §379.21(a)(1) either by using an existing current labor market analysis or needs assessment or by performing a labor market analysis or needs assessment in conjunction with private industry.

§379.21(a)(4) Application content requirement concerning unserved or underserved areas

Comments: One commenter recommended that an applicant for a PWI grant be required to document geographic need through verification by the State VR agency. This commenter wanted to avoid duplication of awards and to ensure that services are provided in areas most in need.

Discussion: The Secretary encourages all applicants to consult with the relevant State VR agency to ensure that services are to be provided in areas where individuals are unserved or underserved, but does not want to require this. It is the responsibility of each applicant to explain in its grant application how the geographic area it proposes to serve is unserved or underserved by the PWI program and to provide whatever justification it considers necessary to support its position.

Changes: None.

§379.21(a)(7) Requirement concerning career advancement services

Comments: Some commenters suggested that career advancement services be addressed with an application content requirement rather than as a compliance indicator.

Discussion: The 1992 Amendments to the Rehabilitation Act of 1973, as amended, added career advancement services to the range of services PWI projects are required to provide. In the NPRM, the Secretary solicited comments on how best to address the career advancement requirement. The Secretary agrees that an application content requirement is the best way to implement the career advancement services provision.

Changes: In response to commenters' suggestions, the Secretary has added to this section the requirement that a grant application contain a description of how career advancement services will be provided to project participants.

§379.30 Recommendation of new selection criterion

Comments: One commenter recommended that applicants under this program be required to include a plan for continuing the project after the Federal grant period has ended.

Discussion: The Secretary finds no statutory basis, as exists for the recreation programs authorized under section 316 of the Act, for adding a criterion to require applicants to include a plan for continuation of the project after the Federal grant period has ended.

Changes: None.

§379.30(a)(1) Selection criterion: extent of need for project -- labor market analysis

Comments: A number of commenters suggested alternative language to a "labor market analysis" and recommended tailoring a needs assessment to local communities rather than to the national or regional job market as implied by the term. Some commenters recommended that the phrase "labor market analysis" be deleted. Discussion: The Secretary intends, and the NPRM stated, that the applicant's labor market analysis or needs assessment be conducted "for the geographic area to be served." The Secretary does not intend by using the term "labor market analysis" to require the applicant to conduct an analysis that is regional or national in scope. While the Secretary expects that projects once established should work with local businesses and the BAC to identify job opportunities for individuals with disabilities, the Secretary does not believe this action eliminates the need for an initial survey of local labor market needs. An initial labor market analysis or needs assessment demonstrates a need for the project and also enables the project to tailor its job training and services to the needs of the local labor market.

Changes: The Secretary has made minor changes to clarify that the applicant may satisfy §379.30(a)(1) either by using an existing current labor market analysis or needs assessment or by performing a labor market analysis or needs assessment in conjunction with private industry.

§379.30(a)(2) Selection criterion: extent of need for project -- labor market analysis

Comments: None

Discussion: The Secretary believes the phrase "occupations and occupational categories" is more precise than "industry or industries" because it refers to a type of job or jobs for which participants are to be trained (e.g., computer programmer) rather than the industries in which they might be placed (e.g., the computer industry).

Changes: The Secretary has amended §379.30(a)(2) in the final regulations to clarify that the job training to be provided must meet the identified needs for specific occupations or occupational categories in the geographic area to be served.

§379.41(a)(f) -- Allowable costs

Comments: One commenter recommended specifying under this section on allowable costs that, if appropriate, grantees may modify facilities and equipment of employers. Another commenter recommended the addition of job modification and job development as allowable costs.

Discussion: The Secretary agrees with the commenters that the costs of job development and modification and the costs of modifications of employer facilities or equipment to be used by PWI program participants should be specifically identified in the final regulations as permissible expenditures. This is consistent with language in 34 CFR 379.10(d)(1) and (3), which requires grantees to undertake these activities, to the extent appropriate.

Changes: The Secretary has amended §379.41(a) to include as allowable costs job development and modification and modifications for facilities and equipment of employers participating in the program.

§379.43 and §379.54(a) -- Annual evaluation report and compliance indicator data

Comments: One commenter did not agree with the proposed requirement that projects submit annual evaluation report and compliance indicator data 60 days after the end of the project year.

Discussion: The Secretary believes that the 60-day timeline is reasonable for submission of project evaluation and compliance indicator data in order to ensure timely receipt of project information and to increase program accountability. In addition, the Secretary has the option to extend this timeline for reasonable cause.

Changes: None.

Paperwork Reduction Act of 1995

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number assigned to the collection of information in these final regulations is displayed at the end of the affected sections of the regulations.

Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

Assessment of Educational Impact

In the notice of proposed rulemaking, the Secretary requested comments on whether the proposed regulations would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

Based on the response to the proposed regulations and on its own review, the Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects in 34 CFR Part 379

Education, Grant programs--education, Grant programs--social programs, Reporting and recordkeeping requirements, vocational rehabilitation.

(Catalog of Federal Domestic Assistance Number 84.234 Projects With Industry.)

The Secretary amends Title 34 of the Code of Federal Regulations as follows:

1. By revising Part 379, Subparts A through E, by revising the heading of Subpart F, and by adding a new §379.54 in Subpart F to read as follows:

PART 379--PROJECTS WITH INDUSTRY

Subpart A--General

Sec.

- 379.1 What is the Projects With Industry (PWI) program?
- 379.2 Who is eligible for a grant award under this program?
- 379.3 Who is eligible for services under this program?
- 379.4 What regulations apply?
- 379.5 What definitions apply?

Subpart B--What Kinds of Activities Does the Department of Education Assist Under This Program?

- 379.10 What types of project activities are required of each grantee under this program?
- 379.11 What additional types of project activities may be authorized under this program?

Subpart C--How Does One Apply for an Award?

- 379.20 How does an eligible entity apply for an award?
- 379.21 What is the content of an application for an award?

Subpart D--How Does the Secretary Make a Grant?

- 379.30 What selection criteria does the Secretary use under this program?
- 379.31 What other factors does the Secretary consider in reviewing an application?

Subpart E--What Conditions Must Be Met by a Grantee?

- 379.40 What are the matching requirements?
- 379.41 What are allowable costs?
- 379.42 What are the requirements for a continuation award?
- 379.43 What are the additional reporting requirements?

Subpart F--What Compliance Indicator Requirements Must a Grantee Meet To Receive Continuation Funding?

379.54 What are the reporting requirements for the compliance indicators?

AUTHORITY: Sections 12(c) and 621 of the Act; 29 U.S.C. 711(c) and 795g, unless otherwise noted.

Subpart A--General

§379.1 What is the Projects With Industry (PWI) program?

This program is designed to--

- (a) Create and expand job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process;
- (b) Identify competitive job and career opportunities and the skills needed to perform these jobs;
- (c) Create practical settings for job readiness and job training programs; and
- (d) Provide job placements and career advancement.

(Authority: Section 621(a)(1) of the Act; 29 U.S.C. 795g(a)(1))

§379.2 Who is eligible for a grant award under this program?

- (a) The Secretary may make a grant under this program to any--
 - (1) Community rehabilitation program provider;
 - (2) Designated State unit;
 - (3) Employer;
 - (4) Indian tribe or tribal organization;
 - (5) Labor Union;
 - (6) Nonprofit agency or organization;
 - (7) Trade association; or

(8) Other agency or organization with the capacity to create and expand job and career opportunities for individuals with disabilities.

(b) New awards may be made only to those eligible entities identified in paragraph (a) of this section that propose to serve individuals with disabilities in States, portions of States, Indian tribes, or tribal organizations that are currently unserved or underserved by the PWI program.

(Authority: Section 621(a)(2) and 621(e)(2) of the Act; 29 U.S.C. 795g(a)(2) and 795g(e)(2))

§379.3 Who is eligible for services under this program?

(a) An individual is eligible for services under this program if the appropriate State vocational rehabilitation unit determines the individual to be an individual with a disability or an individual with a severe disability, as defined in sections 7(8)(A) and 7(15)(A), respectively, of the Act.

(b) In making the determination under paragraph (a) of this section, the State vocational rehabilitation unit shall rely on the determination made by the recipient of the grant under which the services are provided, to the extent that the determination is appropriate, available, and consistent with the requirements of the Act.

(c) If a State vocational rehabilitation unit does not notify a recipient of a grant within 60 days that the determination of the recipient is inappropriate, the recipient of the grant may consider the individual to be eligible for services.

(Authority: Section 621(a)(3) of the Act; 29 U.S.C. 795g(a)(3))

Appendix to §379.3: The following guidance is provided regarding the determination of eligibility for PWI project services: (1) If an individual is

referred to the PWI project by the State vocational rehabilitation (VR) unit and the individual has been determined by the State VR unit to be an "individual with a disability" under section 102(a)(1)(A) of the Act, then the PWI grantee may initiate services to that individual. In these instances, the State VR unit should provide documentation of this determination to the PWI grantee. If the State VR unit has determined that the individual also meets the definition of an "individual with a severe disability" under section 7(15)(A) of the Act, the PWI grantee should be advised of that determination and provided appropriate documentation of that determination. (2) If an individual is not referred to the PWI project by the State VR unit, then the PWI grantee makes an initial or preliminary determination that the individual is eligible for services because the individual meets the definition of an "individual with a disability" or an "individual with a severe disability." The State VR unit has a maximum of 60 days to assess the appropriateness of the preliminary determination. If the State VR unit does not decide that the preliminary eligibility determination is inappropriate within this time period, the eligibility determination becomes final.

§379.4 What regulations apply?

The following regulations apply to the Projects With Industry program:

(a) The regulations in this Part 379; and

(b) The regulations in 34 CFR part 369, except for the regulations in §§369.30 and 369.31.

(Authority: Section 621 of the Act; 29 U.S.C. 795g)

§379.5 What definitions apply?

(a) The definitions in 34 CFR Part 369 apply to this program.

(b) The following definitions also apply to this program:

(1) Career advancement services mean services that develop specific job skills beyond those required by the position currently held by an individual with a disability to assist the individual to compete for a promotion or achieve an advanced position.

(2) Competitive employment, as the placement outcome under this program, means work--

(i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and

(ii) For which an individual is compensated at or above the minimum wage, but not less than the customary or usual wage and terms and benefits provided by the employer for the same or similar work performed by individuals who are not disabled.

(3) Integrated setting, as part of the definition of competitive employment, means a setting typically found in the community in which individuals with disabilities interact with non-disabled individuals, other than non-disabled individuals who are providing services to them, to the same extent that non-disabled individuals in comparable positions interact with other persons.

(4) Job readiness training, as used in §379.41(a), means--

(i) Training in job-seeking skills;

(ii) Training in the preparation of resumes or job applications;

(iii) Training in interviewing skills;

(iv) Participating in a job club; or

(v) Other related activities that may assist an individual to secure competitive employment.

(5) Job training, as used in this part, means one or more of the following training activities provided prior to placement, as that term is defined in §379.5(b)(7):

- (i) Occupational skills training.
- (ii) On-the-job training.
- (iii) Workplace training combined with related instruction.
- (iv) Job skill upgrading and retraining.
- (v) Training to enhance basic work skills and workplace competencies.
- (vi) On-site job coaching.

(6) Person served means an individual for whom services by a PWI project have been initiated with the objective that those services will result in a placement in competitive employment.

(7) Placement means the attainment of competitive employment by a person who has received services from a PWI project and has maintained employment for a period of at least 90 days.

(Authority: Sections 12(c) and 621 of the Act; 29 U.S.C. 711(c) and 795g)

Subpart B--What Kinds of Activities Does the Department of Education Assist Under This Program?

§379.10 What types of project activities are required of each grantee under this program?

Each grantee under the PWI program shall--

(a) Arrange for the provision of, or provide individuals with disabilities with, job training in a realistic work setting, if appropriate to the needs of the individual, in order to prepare individuals for employment and career advancement in the competitive labor market;

(b) Provide individuals with disabilities with job placement and career advancement services;

(c) Provide individuals with disabilities with supportive services that are necessary to permit them to maintain the employment and career advancement for which they have received training under this program;

(d) To the extent appropriate, provide for--

(1) The development and modification of jobs and careers to accommodate the special needs of the individuals with disabilities being trained and employed under this program;

(2) The purchase and distribution of rehabilitation technology to meet the needs of individuals with disabilities at job sites; and

(3) The modification of any facilities or equipment of the employer that are to be used by individuals with disabilities under this program; and

(e) Provide for the establishment of a Business Advisory Council (BAC) comprised of representatives of private industry, business concerns, organized labor, and individuals with disabilities and their representatives who will identify job and career availability within the community, the skills necessary to perform those jobs and careers, and prescribe appropriate training programs.

Appendix to §379.10: A PWI grantee can meet the requirements of §379.10(a) (1) by directly providing job training to project participants, (2) by arranging for the provision of this training by other entities and taking appropriate follow-up measures to ensure that the training is, in fact, provided, or (3) by a combination of both (1) and (2). The job training provided must meet the definition of job training in §379.5(b)(5) and must be provided as appropriate to the needs of each individual served by the project. Although each individual

served by the project may not need job training, the Secretary expects that each PWI project will have an identifiable job training component that is available to those individuals who need it. In order to meet the requirements of §379.10(a), the job training must be provided while the individual is participating in the project (i.e. prior to, or within 90 days of, attaining competitive employment). Therefore, training provided by an employer more than 90 days after the individual begins competitive employment would not meet this requirement. In addition, a project that provides only job readiness training, as defined in §379.5(b)(4), would not meet the requirements of §379.10(a).

(Authority: Section 621(a) of the Act; 29 U.S.C. 795g)

§379.11 What additional types of project activities may be authorized under this program?

The Secretary may include, as part of grant agreements with recipients under this program, authority for recipients to provide the following types of technical assistance:

(a) Assisting employers in hiring individuals with disabilities.

(b) Improving or developing relationships between grant recipients or prospective grant recipients and employers or organized labor.

(c) Assisting employers in understanding and meeting the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C 12101 et seq.) as that Act relates to employment of individuals with disabilities.

(Authority: Section 621(a) of the Act; 29 U.S.C 795g)

Subpart C--How Does One Apply for an Award?

§379.20 How does an eligible entity apply for an award?

In order to apply for a grant, an eligible entity shall submit an application to the Secretary in response to an application notice published in the FEDERAL REGISTER.

(Approved by the Office of Management and Budget under control number 1820-0612.)

(Authority: Section 621(e)(1)(B) of the Act; 29 U.S.C. 795g(e)(1)(B))

§379.21 What is the content of an application for an award?

(a) The grant application must include a description of--

(1) The proposed job training to prepare project participants for specific jobs in the competitive labor market for which there is a need in the geographic area to be served by the project, as identified by an existing current labor market analysis or other needs assessment or one conducted by the applicant in collaboration with private industry;

(2) The involvement of private industry in the design of the proposed project and the manner in which the project will collaborate with private industry in planning, implementing, and evaluating job training, job placement, and career advancement activities;

(3) The responsibilities of the BAC and how it will interact with the project in carrying out grant activities;

(4) The geographic area to be served by the project, including an explanation of how the area is currently unserved or underserved by the PWI program;

(5) A plan for evaluating annually the operation of the proposed project,

which, at a minimum, provides for collecting and submitting to the Secretary the following information and any additional data needed to determine compliance with the program compliance indicators established in Subpart F of this part:

- (i) The numbers and types of individuals with disabilities served.
- (ii) The types of services provided.
- (iii) The sources of funding.
- (iv) The percentage of resources committed to each type of service provided.
- (v) The extent to which the employment status and earning power of individuals with disabilities changed following services.
- (vi) The extent of capacity building activities, including collaboration with business and industry and other organizations, institutions, and agencies, including the State vocational rehabilitation unit.
- (vii) A comparison, if appropriate, of activities in prior years with activities in the most recent year.
- (viii) The number of project participants who were terminated from project placements and the duration of those placements;

(6) A description of the manner in which the project will address the needs of individuals with disabilities from minority backgrounds, as required by 34 CFR 369.21; and

(7) A description of how career advancement services will be provided to project participants.

(b) The grant application must also include assurances from the applicant that--

- (1) The project will carry out all activities required in §379.10;
- (2) Individuals with disabilities who are placed by the project will receive

compensation at or above the minimum wage, but not less than the customary or usual wage paid by the employer for the same or similar work performed by individuals who are not disabled;

(3) Individuals with disabilities who are placed by the project will be given terms and benefits of employment equal to those that are given to similarly situated co-workers and will not be segregated from their co-workers; and

(4) The project will maintain any records required by the Secretary and make those records available for monitoring and audit purposes.

(Approved by the Office of Management and Budget under control number 1820-0612.)

(Authority: Sections 621(a)(4), 621(a)(5), 621(b), and 621(e)(1)(B) of the Act; 29 U.S.C. 795g(a)(4), 795g(a)(5), 795g(b), and 795g(e)(1)(B))

Subpart D--How Does the Secretary Make a Grant?

§379.30 What selection criteria does the Secretary use under this program?

The Secretary uses the following criteria to evaluate an application:

(a) Extent of need for project (20 points). The Secretary reviews each application to determine the extent to which the project meets demonstrated needs. The Secretary looks for evidence that--

(1) The applicant has described an existing current labor market analysis or other needs assessment, or one that it has performed in collaboration with private industry, that shows, for the geographic area to be served, a demand in the competitive labor market for the types of jobs for which project participants will be trained; and

(2) The job training to be provided meets the identified needs for personnel

in specific occupations or occupational categories in the geographic area to be served.

(b) Partnership with industry (25 points). The Secretary looks for information that demonstrates--

(1) The extent of the project's proposed collaboration with private industry in the planning, implementation, and evaluation of job training, placement, and career advancement activities; and

(2) The extent of proposed participation of the BAC in the identification of job and career opportunities, the skills necessary to perform the jobs and careers identified, and the development of training programs designed to develop these skills.

(c) Project design and plan of operation for achieving competitive employment outcomes (25 points). The Secretary reviews each application to determine--

(1) The extent to which the project goals and objectives for achieving competitive employment outcomes for individuals with disabilities to be served by the project are clearly stated and meet the needs identified by the applicant and the purposes of the program;

(2) The extent to which the project provides for all services and activities required under §379.10;

(3) The feasibility of proposed strategies and methods for achieving project goals and objectives for competitive employment outcomes for project participants;

(4) The extent to which project activities will be coordinated with the State vocational rehabilitation unit and with other appropriate community

resources in order to ensure an adequate number of referrals and a maximum use of comparable benefits and services;

(5) The extent to which the applicant's management plan will ensure proper and efficient administration of the project; and

(6) Whether the applicant has proposed a realistic timeline for the implementation of project activities to ensure timely accomplishment of proposed goals and objectives to achieve competitive employment outcomes for individuals with disabilities to be served by the project.

(d) Adequacy of resources and quality of key personnel (10 points). The Secretary reviews each application to determine--

(1) The adequacy of the resources (including facilities, equipment, and supplies) that the applicant plans to devote to the project;

(2) The quality of key personnel who will be involved in the project, including--

(i) The qualifications of the project director;

(ii) The qualifications of each of the other key personnel to be used in the project; and

(iii) The experience and training of key personnel in fields related to the objectives and activities of the project; and

(3) The way the applicant plans to use its resources and personnel to achieve the project's goals and objectives, including the time that key personnel will commit to the project.

(e) Budget and cost effectiveness (10 points). The Secretary reviews each application to determine the extent to which--

(1) The budget is adequate to support the project; and

(2) Costs are reasonable in relation to the objectives of the project.

(f) Project evaluation (10 points). The Secretary reviews each application to determine the quality of the proposed evaluation plan with respect to--

(1) Evaluating project operations and outcomes;

(2) Involving the BAC in evaluating the project's job training, placement, and career advancement activities;

(3) Meeting the annual evaluation reporting requirements in §379.21(a)(5);

(4) Determining compliance with the indicators; and

(5) Addressing any deficiencies identified through project evaluation.

(Approved by the Office of Management and Budget under control number 1820-0612.)

(Authority: Sections 12(c) and 621 of the Act; 29 U.S.C. 711(c) and 795g)

§379.31 What other factors does the Secretary consider in reviewing an application?

In addition to the selection criteria in §379.30, the Secretary, in making awards under this program, considers--

(a) The equitable distribution of projects among the States; and

(b) The past performance of the applicant in carrying out a similar PWI project under previously awarded grants, as indicated by factors such as compliance with grant conditions, soundness of programmatic and financial management practices, and meeting the requirements of Subpart F of this part.

(Authority: Sections 621(e)(2) and 621(f)(4) of the Act; 29 U.S.C. 795g(e)(2) and 795g(f)(4))

Subpart E--What Conditions Must Be Met by a Grantee?

§379.40 What are the matching requirements?

The Federal share may not be more than 80 percent of the total cost of a project under this program.

(Authority: Section 621(c) of the Act; 29 U.S.C. 795g(c))

Appendix to §379.40: (a) For example, if the total cost of a project is \$500,000, the Federal share would be no more than \$400,000 and the grantee's required minimum share (matching contribution) would be \$100,000 (provided in cash or through third party in-kind contributions). The matching contribution is based upon the total cost of the project, not on the amount of the Federal grant award.

(b) The matching contribution must comply with the requirements of 34 CFR 74.23 (for grantees that are institutions of higher education, hospitals, or other nonprofit organizations) or 34 CFR 80.24 (for grantees that are State, local, or Indian tribal governments). The term "third party in-kind contributions" is defined in either 34 CFR 74.2 or 34 CFR 80.3, as applicable to the type of grantee.

§379.41 What are allowable costs?

In addition to those costs that are allowable in accordance with 34 CFR 74.27 and 34 CFR 80.22, the following items are allowable costs under this program:

(a) The costs of job readiness training, as defined in §379.5(b)(4); job training, as defined in §379.5(b)(5); job placement services; job development and modification; and related vocational rehabilitation services and supportive rehabilitation services.

(b) Instruction and supervision of trainees.

(c) Training materials and supplies, including consumable materials.

(d) Instructional aids.

(e) The purchase or modification of rehabilitation technology to meet the needs of individuals with disabilities.

(f) Alteration and renovation appropriate and necessary to ensure access to and use of buildings by persons with disabilities served by the project.

(g) The modification of any facilities or equipment of the employer to be used by individuals with disabilities under this program.

(Authority: Sections 12(c) and 621 of the Act; 29 U.S.C. 711(c) and 795g))

§379.42 What are the requirements for a continuation award?

(a) A grantee that wants to receive a continuation award must--

(1) Comply with the provisions of 34 CFR 75.253(a), including making substantial progress toward meeting the objectives in its approved application and submitting all performance and financial reports required by 34 CFR 75.118; and

(2) Submit data in accordance with §379.54 showing that it has met the program compliance indicators established in Subpart F of this part.

(b) In addition to the requirements in paragraph (a) of this section, the following other conditions in 34 CFR 75.253(a) must be met before the Secretary makes a continuation award:

(1) Congress must appropriate sufficient funds under the program.

(2) Continuation of the project must be in the best interest of the Federal Government.

(Approved by the Office of Management and Budget under control number 1820-0612.)

(Authority: Sections 12(c) and 621(f)(4) of the Act; 29 U.S.C. 711(c) and 795g(f)(4))

§379.43 What are the additional reporting requirements?

Each grantee shall submit the data from its annual evaluation of project operations required under §379.21(a)(5) no later than 60 days after the end of each project year, unless the Secretary authorizes a later submission date.

(Approved by the Office of Management and Budget under control number 1820-0612.)

(Authority: Sections 12(c) and 621 of the Act; 29 U.S.C. 711(c) and 795g)

Subpart F--What Compliance Indicator Requirements Must a Grantee Meet to Receive Continuation Funding? Source: 54 FR 36103, Aug. 31, 1989, unless otherwise noted.

§379.50 What are the requirements for continuation funding?

Beginning with fiscal year 1990, in order to receive a continuation award for the third or any subsequent year of a PWI grant a grantee shall adhere to the provisions of its approved application and shall receive a minimum composite score of at least 70 points on the program compliance indicators contained in Sec. 379.53.

(Authority: Section 621(h)(4)(B) of the Act; 29 U.S.C. 795g(h)(4)(B))

§379.51 What are the program compliance indicators?

The program compliance indicators implement program evaluation standards, which are contained in an appendix to this part, by establishing minimum performance levels and performance ranges in essential project areas to measure the effectiveness of individual grantees.

(Authority: Secs. 621(d)(1) and 621(f)(1) of the Act; 29 U.S.C. 795g(d)(1) and 795g(f)(1))

§379.52 How is grantee performance measured using the compliance indicators?

(a) Each compliance indicator establishes a minimum performance level.

(b) Each compliance indicator also establishes three performance ranges with points assigned to each range. The higher the performance range, the greater the number of points assigned to that range.

(c) If a grantee does not achieve the minimum performance level for a compliance indicator, the grantee receives no points.

(d) If a grantee achieves or exceeds the minimum performance level, the grantee receives the points assigned to the particular performance range that corresponds to its actual level of performance.

(e) The maximum possible composite score that a grantee can receive is 150 points.

(f) A grantee must receive a composite score of at least 70 points to meet the evaluation standards and qualify for continuation funding.

(Authority: 621(h)(4)(B) of the Act; 29 U.S.C. 795g(h)(4)(B))

§379.53 What are the weights, minimum performance levels, and performance ranges for each compliance indicator?

(a) Percent of persons served whose disabilities are severe. (3-10 points)
A minimum of 50 percent of persons served by the project are persons who have severe disabilities. The performance ranges and the points assigned to each range are as follows:

(1) 50 percent to 59 percent--3 points.

(2) 60 percent to 75 percent--7 points.

(3) 76 percent or more--10 points.

(b) Percent of persons served who have been unemployed for at least six

months at the time of project entry. (5-15 points)

A minimum of 50 percent of persons served by the project have been unemployed for at least six months at the time of project entry. The performance ranges and the points assigned to each range are as follows:

- (1) 50 percent to 59 percent--5 points.
- (2) 60 percent to 75 percent--10 points.
- (3) 76 percent or more--15 points.

(c) Cost per placement. (8-25 points)

The average cost per placement of persons served by the project does not exceed \$1600.00. The performance ranges and the points assigned to each range are as follows:

- (1) \$1351 to \$1600--8 points.
- (2) \$1000 to \$1350--17 points.
- (3) Less than \$1000--25 points.

(d) Projected cost per placement. (5-15 points)

The actual average cost per placement of persons served by the project does not exceed 140 percent of the projected average cost per placement in the grantee's application. The performance ranges and the points assigned to each range are as follows:

- (1) 126 percent to 140 percent--5 points.
- (2) 111 percent to 125 percent--10 points.
- (3) 110 percent or less--15 points.

(e) Placement rate. (8-25 points)

A minimum of 40 percent of persons served by the project are placed in

competitive employment. The performance ranges and the points assigned to each range are as follows:

- (1) 40 percent to 49 percent--8 points.
- (2) 50 percent to 69 percent--17 points.
- (3) 70 percent or more--25 points.

(f) Projected placement rate. (5-15 points)

The actual number of persons served by the project that are placed into competitive employment is at least 50 percent of the number of persons that the grantee, in the grant application, projected would be placed. The performance ranges and the points assigned to each range are as follows:

- (1) 50 percent to 74 percent--5 points.
- (2) 75 percent to 94 percent--10 points.
- (3) 95 percent or more--15 points.

(g) Change in earnings. (7-20 points)

The earnings of persons served by the project who are placed into competitive employment have increased by an average of at least \$75.00 a week over earnings at project entry. The performance ranges and the points assigned to each range are as follows:

- (1) \$75 to \$124--7 points.
- (2) \$125 to \$199--14 points.
- (3) \$200 or more--20 points.

(h) Percent placed who have severe disabilities. (3-10 points)

At least 50 percent of persons served by the project who are placed into competitive employment are persons who have severe disabilities. The performance ranges and the points assigned to each range are as follows:

(1) 50 percent to 59 percent--3 points.

(2) 60 percent to 75 percent--7 points.

(3) 76 percent or more--10 points.

(i) Percent unemployed placed. (5-15 points)

At least 50 percent of persons served by the project who are placed into competitive employment are persons who were unemployed for at least six months at the time of project entry. The performance ranges and the points assigned to each range are as follows:

(1) 50 percent to 59 percent--5 points.

(2) 60 percent to 75 percent--10 points.

(3) 76 percent or more--15 points.

(j) Summary chart of weights and performance ranges.

The following composite chart shows the weights assigned to the performance ranges for each compliance indicator.

Performance ranges:

Range	Range	Range	Indicator	(1)	(2)	(3)																																	
Persons with severe disabilities served	3	7	10	Unemployed served	5	10	15	Cost per placement	8	17	25	Projected cost per placement	5	10	15	Placement rate	8	17	25	Projected placement rate	5	10	15	Change in earnings	7	14	20	Percent placed who have severe disabilities	3	7	10	Percent unemployed placed	5	10	15	Total possible score	49	102	150

(Authority: Section 621(f)(1) of the Act; 29 U.S.C. 795g(f)(1))

Appendix to Part 379--Evaluation Standards

Standard 1:

The primary objective of the project shall be to assist individuals with disabilities to obtain competitive employment. The activities carried out by the project shall support the accomplishment of this objective.

Standard 2:

The project shall serve individuals with disabilities that impair their capacity to obtain competitive employment. In selecting persons to receive services, priority shall be given to individuals with severe disabilities.

Standard 3: The project shall ensure the provision of services that will assist in the placement of persons with disabilities.

Standard 4: Funds shall be used to achieve the project's primary objective at minimum cost to the federal government.

Standard 5: The project's advisory council shall provide policy guidance and assistance in the conduct of the project.

Standard 6: Working relationships, including partnerships, shall be established with agencies and organizations in order to expand the project's capacity to meet its objectives.

Standard 7: The project shall obtain positive results in assisting individuals with disabilities to obtain competitive employment.

§379.54 What are the reporting requirements for the compliance indicators?

(a) In order to receive continuation funding for the third or any subsequent year of a PWI grant, each grantee must submit data for the most recent complete project year no later than 60 days after the end of that project year, unless the Secretary authorizes a later submission date, in order for the Secretary to determine if the grantee has met the program compliance indicators established in this Subpart F.

(b) If the data for the most recent complete project year provided under paragraph (a) of this section shows that a grantee has failed to achieve the minimum composite score required in §379.52(f) to meet the program compliance indicators, the grantee may, at its option, submit data from the first 6 months of the current project year no later than 60 days after the end of that 6-month period, unless the Secretary authorizes a later submission date, to demonstrate that its project performance has improved sufficiently to meet the minimum composite score.

(Approved by the Office of Management and Budget under control number 1820-0612.)

(Authority: Section 621(f)(2) of the Act; 29 U.S.C. 795g(f)(2))

Note: A grantee receives its second year of funding (or the first continuation award) under this program before data from the first complete project year is available. Data from the first project year, however, must be submitted and is used (unless the grantee exercises the option in paragraph (b) of this section) to determine eligibility for the third year of funding (or the second continuation award).

2. Section 379.53 is amended by adding "(Approved by the Office of Management

and Budget under control number 1820-0612.)" before the authority citation at the end of the section.

ASSURANCES- NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

- | | |
|---|--|
| 1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management, and completion of the project described in this application. | 2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting |
|---|--|

standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed

standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§

1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse. (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and

Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) which may apply to the

application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction

subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition if \$10,000 or more.

11. Will comply with environmental; standards which may be prescribed pursuant to the following: (a) institution of

environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq); (f) conformity of Federal actions to State (Clear Air) Implementation Plans

under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring

compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131

et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official	Title	
Applicant Organization		Date Submitted

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant,

the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall

require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110 -

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for

debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted

for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN
INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substances prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to

inform employees about -

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including

position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is co convicted -

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement, or other appropriate agency;

Check ____ if there are workplaces on file that are not identified here.

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (e), and (f).

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 35 CFR Part 85, Sections 85.605 and 85.610 --

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code)

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with

the grant; and

B. If convicted of a criminal drug offence resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to Director, Grants and Contracts Service, US Department of Education, 400 Maryland Avenue, SW (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number of each affected grant.

As the duly authorized representative of the applicant, I certify that the applicant will comply with the above certifications.

NAME OF APPLICANT_____

PR/AWARD NO. AND/OR PROJECT NAME _____

PRINTED NAME OF AUTHORIZED REPRESENTATIVE_____

SIGNATURE_____ DATE_____

ED 80-0013

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND
VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS**

.....

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.120.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to

other remedies available to the Federal Government, the department or agency with which this transaction originated may purpose available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," "and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed transaction be entered into, it shall not knowingly enter into any lower

tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titles "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a

certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by

a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification:

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Applicant	PR/Award # and/or Project Name
Printed Name and Title of Authorized Representative	
Signature	Date

ED 80-0014, 9/90 (replaces GCS-009(rev. 12/88), which is obsolete)

DISCLOSURE OF LOBBYING ACTIVITIES

approved by O.M.B. 0345-0045

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(see reverse for public burden disclosure)

1. Type of Federal Action		2. Status of Federal Action:		3. Report Type:	
	a. Contract b. grant c. coop. agreement d. loan e. loan guarantee f. loan insurance		a. bid/ offer/application b. initial award c. post-award		a. initial filing b. material change For Material Change Only: yr.____ qrtr.____ Date of last report_____
4. Name and Address of Reporting Entity: ____Prime ____Subawardee Tier____, if known Congressional District_____			5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:		
6. Federal Department/Agency:			7. Federal Program Name/Description: CDFA #, if applicable 84._____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$		

16 . Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature:

Print Name

Title :

Telephone No: ____ - ____ - ____

Date:

Federal Use Only:

Authorized for Local Reproduction SF-LLL

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the

information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee" then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of

Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number grant announcement number, the contract, grant, or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal Action.
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a) Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made

(actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.

12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.

13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.

14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.

15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

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Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the

collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction Project (0348-0046), Washington, D.C. 20503

DISCLOSURE OF LOBBYING ACTIVITIES

Continuation Sheet

Approved by OMB

0348-0046

Reporting Entity: _____ Page ____ of ____

APPLICATION TRANSMITTAL INSTRUCTIONS

Please send an original and three (3) complete copies of your application.

The application must be postmarked or hand-delivered by the closing date.

Applications Sent by Mail

All applications sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: CFDA # 84.234M, 600 Independence Avenue, SW, Washington, D.C. 20202-4725.

An application must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

- (1) A private metered postmark, or
- (2) A mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Each late applicant will be notified that its application will not be considered.

Applications Delivered by Hand/Courier Service

An application that is hand delivered must be taken to the U.S. Department of Education, Application Control Center, Room 3633, General Services Administration National Capital Region, 7th and D Streets, SW, Washington, D.C. 20202-4725.

The Application Control Center will accept deliveries between 8:00 a.m., and 4:30 p.m. (Washington, D.C.) daily, except Saturdays, Sundays and Federal holidays.

Individuals delivering applications must use the D Street Entrance. Proper identification is necessary to enter the building.

In order for an application sent through a Courier Service to be considered timely, the Courier Service must be in receipt of the application on or before the closing date.

Grant Application Receipt Acknowledgement

If you do not receive the notification of application receipt within fifteen (15) days from the closing date, call:

U.S. Department of Education
Coordination and Control Branch
(202) 708-9495

APPLICATION CHECKLIST

Does your application include each of the following?

- ☐ Cover page (SF 424)
- ☐ Budget form (ED Form 524)
- ☐ Program specific budget form [if applicable]
- ☐ Budget narrative [if applicable]
- ☐ Program narrative, including abstract and responses to the selection criteria
- ☐ Assurances and Certifications [list]

Did You --

- ☐ Provide one (1) original plus 3 copies of the application?
- ☐ Include all required forms with original signatures and dates?
- ☐ Submit a copy of the application to the State Single Point of Contact, if applicable?
- ☐ **Mail* Application To:** U.S. Department of Education, Application Control Center, CFDA #84.234M, 600 Independence Avenue, SW, Washington, DC 20202-4725 **OR**
Hand-deliver* Application To: U.S. Department of Education, Application Control Center, Room 3633, General Services Administration National Capital Region, 7th and D Streets, SW, Washington, DC 20202-4725.

*Must be received by mail postmarked no later than April 21, 1997 or hand-delivered

by 4:30 p.m. no later than April 21, 1997.

COMMON QUESTIONS AND ANSWERS

- Q. What happens to my application after it is received in the Department?
- A. The Department's Application Control Center receives each application, assigns each an identifying number (PR/Award number), confirms receipt of applications, and sends the applications to the appropriate program office, which screens them for eligibility. The program conducts a peer review of all eligible applications sent to a program competition, ranks them and recommends the highest ranked applications for funding with exceptions as provided by law. The responsible official for the applicable program reviews the program office's recommendations, checks the adequacy of the documentation supporting the recommendations, and approves a final list, or slate, of recommended projects and funding amounts. The final slate is forwarded to Grant and Contract Services, Grants Division, which negotiates the recommendations with the successful applicants and awards the grants.
- Q. What happens to my application if the Department finds it to be ineligible?
- A. The Department immediately returns an application that does not meet the eligibility criteria for the particular program. A letter from the Department explaining why it is not being reviewed in the competition accompanies the

application.

Q. How does the Department review an application?

A. Each application is assessed by knowledgeable persons from outside and sometimes inside the Department who are asked for their judgements about the quality and significance of the proposed project. These persons represent a diversity of disciplines and institutional, regional, and cultural backgrounds. The advice of these experts is compiled by Departmental staff who comment on matters of fact or on significant issues that would otherwise be missing from the review. The results are then presented to the responsible official responsible for the program who approves the recommendations for funding.

Q. What Criteria do the reviewers use when scoring an application?

A. Reviewers score each application using the selection criteria published in the Federal Register as part of the program regulations, which are given [specify where they can be found in the application package]. Reviewers are instructed to use only the published criteria.

Q. Is a recommended application guaranteed funding?

A. No. Funding is not final until negotiations have been successfully concluded and a grant award notification has been signed by the grants office and mailed to the applicant.

Q. How do the invitational, competitive and absolute priorities differ?

A. **Invitational Priority**

The Secretary may simply invite applicants to meet a priority. However, an application that addresses invitational priorities receives no competitive or absolute preference over applications that do not meet this priority.

Competitive Preference

If a program uses weighted selection criteria, the Secretary may award selection points to an application that meets the priority. These points are in addition to any points the application earns under the selection criteria. The notice states the maximum number of additional points that the Secretary may award to applications that meet the priority in a particularly effective way. Or the Secretary may simply select applications that meet the competitive priority over applications of comparable merit that do not meet the priority.

Absolute Priority

Under an absolute priority, the Secretary may select for funding only those applications that meet the priority.

Q. Can changes in the size of subsequent year awards be made after the multi-year budget has been negotiated?

A. Yes, a grantee can renegotiate his or her multi-year budget and may be awarded additional funds if sufficient justification is presented to the Secretary and funds are available. Also, funds can be decreased if it is determined that the multi-year budget was overestimated.

Q. How will funding continuation decisions be made if the Department is phasing out the use of non-competing continuation applications after fiscal year 1995?

A. Grantees will be required to complete annual performance reports that describe the projects' accomplishments, evaluations, and finances. These performance reports, along with other information, will be used by the Department to decide whether to continue funding projects.

OTHER IMPORTANT INFORMATION AND NOTICES

Executive Order 12372 - Intergovernmental Review

The Education Department General Administrative Regulations (EDGAR), 34 CFR Part 79, pertaining to intergovernmental review of Federal programs, apply to the program(s) included in this application package.

Immediately upon receipt of this notice, all applicants, other than Federally recognized Indian Tribal Governments, must contact the appropriate State Single Point of Contact to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should contact, immediately upon receipt of this notice, the Single Point of Contact for each State and follow the procedures established in those States under the Executive Order. A list containing the Single Point of Contact for each State is included in the application package for these programs.

In States that have not established a process or chosen a program for review, State, areawide, regional, and local entities may submit comments directly to the Department.

Any State Process Recommendation and other comments submitted by a State Single Point of Contact and any comments from State, areawide, regional, and local entities must be mailed or hand-delivered by the date in the program announcement for Intergovernmental Review to the following address:

The Secretary

E.O. 12372-CFDA # 84. 234M

U.S. Department of Education, FOB-10, Room 6123

600 Independence Ave., S.W.

Washington, D.C. 20202-0100

On line 2 of the above address, please provide the correct Catalog of Federal Domestic Assistance number (CFDA #) of the program for which a comment or state process recommendation on an application is submitted.

In those States that require review for this program, applications are to be submitted simultaneously to the State Review Process and the U.S. Department of Education.

Proof of mailing will be determined on the same basis as applications.

Please note that the above address is not the same address as the one to which the applicant submits its completed application. Do not send applications to the above address.

STATE SINGLE POINT OF CONTACT

ARIZONA

Ms. Janice Dunn
Arizona State Clearinghouse
3800 N. Central Avenue
Fourteenth Floor
Phoenix, Arizona 85012
Telephone (602) 280-1315

ARKANSAS

Tracie L. Copeland
Manager, St. Clearinghouse
Off. of Intergover. Srvcs.
Dept. of Finance and Admin.
P.O. Box 3278
Little Rock, Arkansas 72203
Telephone (501) 682-1074

CALIFORNIA

Glenn Stober
Grants Coordinator
Office of Planning & Research
1400 Tenth Street
Sacramento, California 95814
Telephone (916) 323-7480

DELAWARE

Francine Booth
State Single Point of Contact
Executive Department
Thomas Collins Building
Dover, Delaware 19903
Telephone (302) 739-3326

DISTRICT OF COLUMBIA

Rodney T. Hallman
State of Single Point of
Office of Grants Mgmt & Dev.
717 14th Street N.W.
Suite 500
Washington, D.C. 20005
Telephone (202) 727-6551

FLORIDA

Florida St. Clearinghouse
Intergov. Affairs Policy Unit
Exe. Off. of the Governor
The Capitol
Tallahassee, Florida 32399-0001
Telephone (904) 488-8441

COLORADO

St. of Single Point of Contact
State Clearinghouse
Division of Local Government
1313 Sherman Street , Room 520
Denver, Colorado 80203
Telephone (303) 866-2156

CONNECTICUT

Mr. William T. Quigg
Intergov. Review Coordinator
State Single Point of Contact
Office of Policy and Management
Intergov. Policy Div.
80 Washington Street
Hartford, Connecticut 06106-4459
Telephone (203) 566-3410

INDIANA

Jean S. Blackwell
Budget Director
St. Budget Agency
212 State House
Indianapolis, Indiana 46204
Telephone (317) 232-5610

IOWA

Steven R. McCann
Div. for Comm. Progress
Iowa Dept. of Economic Develp.
200 East Grant Avenue
Des Moines, Iowa 50309
Telephone (515) 281-3725

KENTUCKY

Ronald W. Cook
Off. of the Governor
Dept. of Local Government
1024 Capitol Center Drive
Frankfort, Kentucky 40601
Telephone (502) 564-2382

MAINE

Joyce Benson
St. Planning Off.
St. House Station 38
Augusta, Maine 04333
Telephone (207) 289-3261

MARYLAND

Mary Abrams
Chief, MD St. Clearinghouse

GEORGIA

Charles H. Badger
Administrator
Georgia State Clearinghouse
254 Washington Street, S.W.
Room 534 A
Atlanta, Georgia 30334
Telephone (404) 656-3855

ILLINOIS

Steve Klockenga
St. Single Point of Contact
Off. of the Governor
107 Stratton Building
Springfield, Illinois 62706
Telephone (217) 782-1671

MASSACHUSETTS

Karen Arone
St. Clearinghouse
Exe. Off. of Comm. & Develp.
100 Cambridge Street, Rm. 1803
Boston, Massachusetts 02202
Telephone (617) 727-7001

MICHIGAN

Richard S. Pastula
Director
Michigan Department of Commerce
Office of Federal Grants
P.O. Box 30225
Lansing, Michigan 48909
Telephone (517) 373-7356

MISSISSIPPI

Cathy Mallette
Clearinghouse Officer
Off. of Fed. Grant Mngt. & Reporting
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Room 430, Truman Building
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NEVADA

Dept. of Admin.
St. Clearinghouse

Dept. of St. Planning
301 West Preston Street
Baltimore, Maryland 21201
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Capitol Complex
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Gregory W. Adkins, Acting Dir.
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NJ Dept. of Comm. Affairs

NORTH DAKOTA

ND Single Point of Contact
Off. of Intergov. Assistance
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600 East Blvd. Avenue
Bismarck, North Dakota 58505-0170
Telephone (701) 224-2094

Please direct all correspondence and questions about intergov. review to:

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St. Review Process
Div. of Comm. Resources
CN 814, Rm. 609
Trenton, New Jersey 08625-0814
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St. Capitol
Albany, New York 12224
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Chairman/Director
Puerto Rico Planning Board
Minillas Government Center
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Second Floor
Saint Thomas, Virgin Islands 00802

Please direct correspondence to:
Linda Clarke
Telephone (809) 774-0750

In accordance with Executive Order #12372, "Intergovernmental Review Process," this listing represents the designated State Single Points of Contact. Upon request, a background document explaining the Executive Order is available. The Office of Management and Budget point of contact for updating this listing is: Donna Rivelli (202) 395-5090. The States not listed no longer participate in the process. These include: Alabama; Alaska; Kansas; Idaho; Louisiana; Minnesota; Montana; Nebraska; Oklahoma; Oregon; Pennsylvania; Virginia; Washington; and Hawaii. This list is based on the most current information provided by the States. Information on any changes or apparent errors should be provided to the Office of Management and Budget and the State in question. Changes to the list will be made only upon formal notification by the State.

**IMPORTANT NOTICE
TO PROSPECTIVE PARTICIPANTS
IN THE U.S. DEPARTMENT OF EDUCATION
CONTRACT AND GRANT PROGRAMS**

GRANTS

Applicants for grants from the U.S. Department of Education (ED) have to compete for limited funds.

Deadlines assure all applicants that they will be treated fairly and equally, without last minute haste.

For these reasons, ED must set strict deadlines for grant applications. Prospective applicants can avoid disappointment if they understand that -

Failure to meet a deadline will mean that an application will be rejected without any consideration whatever.

The rules, including the deadline, for applying for each grant are published, individually, in the Federal Register. A one-year subscription to the Register may be obtained by sending \$340.00 to: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402-9371. (Send check or money order only, on cash or stamps.)

The instructions in the Federal Register must be followed exactly. Do not accept any other advice you may receive. No ED employee is authorized to extend any deadline published in the Register.

Questions regarding submission of applications may be addressed to:

U.S. Department of Education
Application Control Center Washington, DC 20202-4725

CONTRACTS

Competitive procurement actions undertaken by the ED are governed by the Federal Procurement Regulation and implementing ED Procurement Regulation.

Generally, prospective competitive procurement actions are synopsisized in the Commerce Business Daily (CBD). Prospective offerors are therein advised of the nature of the procurement and where to apply for copies of the Request for Proposals (RFP).

Offerors are advised to be guided solely by the contents of the CBD synopsis and the instructions contained in the RFP.

Questions regarding the submission of offers should be addressed to the Contracts Specialist identified on the face page of the RFP.

Offers are judged in competition with other, and failure to conform with any substantive requirements of the RFP will result in rejection of the offer without any consideration whatever.

Do not accept any advice you receive that is contrary to instructions contained in either the CBD synopsis or RFP. No ED employee is authorized to consider a proposal which is non-responsive to the RFP.

A subscription to the CBS is available for \$208.00 per year via second class mailing or \$261.00 per year via first class mailing. Information included in the Federal Acquisition Regulations is contained in Title 48, Code of Federal Regulations, Chapter 1 (\$49.00). The foregoing publication may be obtained by sending your check or money order only, no cash or stamps, to:

Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402-93

In an effort to be certain this important information is widely disseminated, this notice is being included in all ED Mail to the public. You may, therefore, receive more than one notice. If you do, we apologize for any annoyance it may cause you.

ED Form 5548 8/92

REPLACES ED FORM 5548, 6/86 WHICH IS OBSOLETE

GRANT APPLICATION RECEIPT ACKNOWLEDGEMENT

If you fail to receive the notification of application receipt within fifteen (15) days from the closing date, call:

U.S. Department of Education
Coordination and Control Branch
(202) 708-9495

EDUCATION BULLETIN BOARDS

There is now an electronic bulletin board with information about grant and contract opportunities at the U.S. Department of Education. The bulletin board is open to public access. The official version of the documents received from any electronic bulletin board is the version that is published in the Federal Register.

Bulletin Board Data Number
(202) 260-9950

ATTACHMENT

4000-01-P

DEPARTMENT OF EDUCATION

(CFDA No.: 84.234M)

Projects With Industry

Notice inviting applications for new awards for fiscal year (FY) 1997.

PURPOSE OF PROGRAM: The Projects With Industry (PWI) program creates and expands job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process. PWI projects identify competitive job and career opportunities and the skills needed to perform those jobs, create practical settings for job readiness and training programs, and provide job placement and career advancement services.

ELIGIBLE APPLICANTS: Employers and profitmaking and nonprofit organizations, designated State units, labor unions, employers, community rehabilitation program providers, trade associations, Indian tribes or tribal organizations, and other agencies or organizations with the capacity to create and expand job and career opportunities for individuals with disabilities.

Only applicants that propose to serve a geographic area that is currently unserved or underserved by the PWI program can receive new awards under this program.

DEADLINE FOR TRANSMITTAL OF APPLICATIONS: April 21, 1997

DATELINE FOR INTERGOVERNMENTAL REVIEW: March 21, 1997

APPLICATIONS AVAILABLE: February 5, 1997

AVAILABLE FUNDS: \$18,669,881

ESTIMATED RANGE OF AWARDS: \$158,000-238,000

ESTIMATED AVERAGE SIZE OF AWARDS: \$198,000

ESTIMATED NUMBER OF AWARDS: 78-118

NOTE: The Department is not bound by any estimates in this notice.

PROJECT PERIOD: Up to 60 months.

Invitational Priorities: The Secretary is particularly interested in applications that meet one or more of the following invitational priorities. However, under 34 CFR 75.105 (c)(1) an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over other applications. The Secretary particularly invites applications that propose to meet the following invitational priorities--

Invitational Priority 1: Programs that demonstrate the use of alternative work setting models of employment such as flexiplace or telecommute to assist individuals with severe disabilities to secure job skills training and employment opportunities in the competitive labor market. Proposed service delivery models should promote the delivery of services to these individuals in alternative work settings and facilitate competitive employment placements in alternative work settings such as the home environment. Tenets of the proposed program model should demonstrate collaboration between Projects With Industry, business and industry, and the State vocational rehabilitation agency;

Invitational Priority 2: Programs that demonstrate the use of work place apprenticeship programs designed to encourage, support and train persons with disabilities for employment in careers with advancement potential;

Invitational Priority 3: Programs that demonstrate effective outreach and collaboration with minority owned businesses in order to secure competitive placement opportunities for persons with disabilities. Minority owned businesses are defined as nonprofit and for-profit entities at least 51 percent owned or controlled by one of more minority individuals. Applications should demonstrate a project's capacity to address cultural diversity issues as these issues relate to the training and placement of individuals with disabilities in competitive employment; and

Invitational Priority 4: Programs that demonstrate a project design that will facilitate the transition from school-to-work of individuals with disabilities using the Projects With Industry Program model. Programs should focus on placing youth with disabilities in employment with career path/career advancement opportunities.

Competitive Priority: The Empowerment Zone and Enterprise Community program is a critical element of the Administration's community revitalization strategy. The program is a first step in rebuilding communities in America's poverty-stricken inner cities and rural heartlands. It is designed to empower people and communities by inspiring Americans to work together to create jobs and opportunity.

Under this program, the Federal Government has designated 9 Empowerment Zones (Atlanta, GA; Baltimore, MD; Chicago, IL; Detroit, MI; New York, NY; Philadelphia, PA/Camden, NJ); and three rural (Kentucky Highlands, KY; Mid-Delta, MS; Rio Grande Valley, TX). Two Supplemental Empowerment Zones have been designated--Los Angeles, CA and Cleveland, OH. Ninety-five (95) Enterprise Communities are designated. A full list of Enterprise Communities is available upon request. Interested individuals may contact the Department of Housing and Urban Development (HUD) at 1-800-998-9999 for additional information on the Empowerment Zone and Enterprise Community Program.

In the Empowerment Zone and Enterprise Community program, communities are invited to submit strategic plans that comprehensively address how the community would link economic development with education and training as well as how community development, public safety, human services, and environmental initiatives together will support sustainable communities.

The Projects With Industry program, under the Rehabilitation Act, intends to give preference to Empowerment Zones and Enterprise Communities. The Secretary has determined that it would serve the purposes of the Projects With Industry program to award competitive preference to applications that propose projects that serve these zones and communities.

Under the Projects With Industry program, competitive preference will be given to applications that propose (1) The provision of substantial services in Empowerment Zones or Enterprise Communities; and (2) To contribute to the strategic plan of the Empowerment Zone or Enterprise Community activities. Ten bonus points will be assigned to applications determined to be approved on the basis of their evaluation under the applicable program selection criteria.

APPLICABLE REGULATIONS: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, and 86; and (b) The regulations for this program in 34

CFR Parts 369 and 379.

FOR APPLICATIONS: To request an application package, please call the following number xxxxxx.

INFORMATION CONTACT: Martha Muskie, U.S. Department of Education, 600 Independence Avenue, S.W., Room 3332, Switzer Building, Washington, D.C. 20202-2649. Telephone: (202) 205-3293. Application Request Line: (202) 205-9343. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Information about the Department's funding opportunities, including copies of application notices for discretionary grant competitions, can be viewed on the World Wide Web at <http://www.ed.gov/money.html>. However, the official application notice for a discretionary grant competition is the notice published in the FEDERAL REGISTER.

PROGRAM AUTHORITY: 29 U.S.C. 795g

Dated:

Judith E. Heumann,
Assistant Secretary for
Special Education and
Rehabilitative Services.